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A MUNICIPAL PROGRAM FOR EDUCATING IMMIGRANTS IN CITIZENSHIP

BY JOHN MERRIMAN GAUS¹

Boston, Mass.

THE concentration of immigrants in cities has given rise to more than one serious difficulty. The existence of so large a number of immigrants of voting age in our urban communities constitutes not only a social, but a political problem.² No comprehensive plan of social and political betterment can ever be carried through with success unless this great body of embryo voters has become politically assimilated, and this political assimilation demands a constructive program for the education of these people in the principles of American citizenship. This alone can supply a basis for fitting into a better American life those who have come from lands where very different ideals and methods of government prevail. And the burden of this task must inevitably fall upon our evening schools. Private agencies can help to some extent; but the satisfactory solution of the problem demands that it be taken in hand as a public enterprise, financed from public funds,

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² In 1910 there were 13,345,545 immigrants in the United States. Of these no fewer than 9,761,427 were in the cities. The percentages of the foreign-born and their children were in Boston 74.2 per cent; in Cleveland, 74.8 per cent; in Chicago, 77.4 per cent; and in New York city, 78.6 per cent. More than 25 per cent (or 6,646,817) of all the males of voting age in the United States are foreign-born; and of these 55 per cent (or 3,612,700) are naturalized. See Department of the Interior, Bureau of Education, *Bulletin* no. 16 (1916), and *Publication* no. 11 of the division of reference and research, department of education, New York city (1915).

and carried on as one of the regular educational functions of the municipality.

THE URGENCY OF THE PROBLEM

The greatest obstacle in the way of developing a system of evening classes for immigrants has come from the general public's lack of knowledge as to the urgency of the problem, its extent and its importance. In several states there are no provisions for aiding these schools from the public funds, a situation which is due largely to the fact that the laws relating to school finance were framed long before the need of such schools had been felt. But the need is now serious. The United States Bureau of Education has given its opinion that "For those of 21 years of age and unable to speak English, the problem is acute and distressing. With 2,565,612 foreign-born whites who fall within this age group in the country in 1910 suffering from this disability, and only 35,614 foreign-born white adults in school, or 1.3 per cent, it is evident that practically no aliens are making any systematic effort to acquire the English language." State school laws have been passed in many states, notably in the chief immigration states, which provide for evening schools, but too often such legislation has been merely permissive and as a matter of fact but few schools have been established as a result of such legislation. In the principal immigration states, namely New York, Pennsylvania, Illinois, Massachusetts, New Jersey, Ohio, Michigan, Minnesota, California, and Wisconsin, according to figures up to March 8, 1916, at the Bureau of Education at Washington there were 272 evening schools for a total of 591 urban centers with over 1,000 foreign-born whites. These figures are only an earnest of the fact that the people have been slow to appreciate the necessity of providing for evening schools in which immigrants may receive an education in the English language and in American government and history. It is, accordingly, with a view to offering some constructive suggestions as to the best organization and methods that this paper has been written.

ADMINISTRATION

No system of immigrant education will be successful unless those in charge of it are keenly aware of its special importance, requirements, necessities, and demands. At the head of the work for immigrant education the city should place a director of evening school work for immigrants, under the superintendent of evening schools, who should have charge of the work of his division. In small cities where a special officer cannot be appointed because of the extra cost involved, I think it wiser to place these duties in the hands of a teacher of immigrants rather than give them over to an official who is not only overburdened already, but who will not give the work the emphasis and attention it deserves.

The duties of such an official should comprise mapping out of the work of his division, co-ordinating the efforts of the several schools, suggesting methods, lectures, special classes, and the conducting of a normal training class for teachers of immigrants. In small cities much of the actual teaching, or at least some part of it, may be done by volunteer workers, and this class especially need thorough training in the special task assigned to them. Buffalo and Rochester have officials whose duties roughly correspond to those I have outlined. An especially important part of the director's work should be the co-ordination of the work of the city school with that of the federal courts, the Bureau of Naturalization, and the other federal bureaus such as the division of immigrant education in the Bureau of Education.

The chief of the immigration bureau of the city of Cleveland³ numbers among his duties that of "promoting the teaching of English and of citizenship among immigrant men and women in co-operation with the board of education." In this way the general city work among immigrants has been linked up with an adequate system of education for naturalization, and it is in this field of the work that a special supervisory officer is not only useful but essential.

TEACHING

Cities have generally recognized the necessity of obtaining specially trained instructors for evening school classes for immigrants, and this demand has resulted in the establishment of normal classes for teachers of immigrants. Such classes are conducted in a few cities by the directors of immigrant work, in normal schools, and in colleges. Cornell University and Teachers College both have courses for those specializing in this work, and in the fall of 1916 the university extension department of the Massachusetts board of education held fifteen weekly conferences at the Lowell normal school under the supervision of Mr. Herlihy, director of the Cambridge evening schools. A course was also taught by correspondence under the auspices of this department. The regents of the University of the State of New York have issued a syllabus of a course for teachers of immigrants, and the Bureau of Education of the Department of the Interior publishes suggestions and outlines for immigrant educational work to be used by principals and teachers. There are now many opportunities to obtain a training in this field, and educators who have studied this subject are in agreement with the conclusion that immigrant instructors should have preparation for this work. The Massachusetts commission on immigration reported in 1914 upon their

³ For an account of the work in Cleveland, see an article in the New York city board of education's Report, previously cited, by R. E. Cole, formerly of the Cleveland immigration league.

investigations of the general subject of immigration in that state, and stated their conclusions on this point as follows:

When it is remembered that the evening school follows a long day of hard work; that a large number of those who come are unable to read and write in their own language; that the class is often made up of representatives of many different nationalities; that while the immediate acquisition of a working knowledge of English is enormously important, the ambition to acquire much more than this must be stimulated; and that however eager the immigrant may be the period of his attendance must relatively be short, it is at once apparent that a high degree of professional skill, as well as of special aptitude for this kind of teaching, is necessary. But the very general belief that evening classes are only an unimportant adjunct to the school system has meant that the teachers generally have not measured up to this standard.

This conclusion is also voiced in the federal bureau's report which I have already quoted on other matters, the New York city report, and by practically every committee which has studied this phase of the work. It is apparent that teachers for immigrant education work should be selected from a civil service list based on a special education and training in immigrant instruction and on professional skill. This can come, of course, only with public recognition of the importance of immigrant education. The recent spread of facilities for the further training of such teachers would seem to indicate that the city, state and national governments are preparing to accord this branch of evening school instruction the importance it deserves.

The question as to the advisability of having the teachers use the language of the pupils seems to be a much mooted matter, and has heretofore been determined by the special circumstances of particular schools and cities. Speaking generally, the possession by the teacher of the ability to use languages other than English serves to establish a sympathy on the part of the instructor with the pupils, and it is of course of especial benefit to those pupils who speak little or no English. The North American Civic League for Immigrants has demonstrated the wisdom of lectures in the native language of the immigrants on such matters as factory laws, rates of wages, regulation of hours of work, foreign exchange and postal savings department of the post offices, health and sanitary regulations, and on various other matters which prove of use to the newcomers. The Massachusetts commission on immigration (1914) commended such lectures strongly. The use of an interpreter should be provided for in the evening schools in any event, and this would remove in some measure the necessity of the teachers knowing foreign tongues.

In general, one may say that teachers should be required to possess certificates showing a special training for the work, either from some normal school or college of recognized standing, or from a course conducted by the director of evening school work for immigrants. Weekly

conferences should be held with the director, in order to keep in touch with the larger views of the work which is conducted in the city, and to be continually acquainted through the director with the development of the work in other cities and states. It is obvious that the pay should be sufficient to attract teachers willing to take the time and pains for this special preparation. The Massachusetts commission, while deploring the use of day school teachers in evening schools, suggested that teachers in part time afternoon schools for those students employed part of the day might well serve in the evening also.

ORGANIZATION

The pupils should first be grouped so far as possible according to their knowledge of English, and secondly according to their nationality. After this is done, age, sex, and previous education should be used as bases for further classification. These classes are held of course largely in the evening, but for those immigrants who are employed in night labor, afternoon sessions should be provided. Boston has a class for waiters and other night workers that meets at a downtown building in the afternoon, and is well attended. The school term has been in most cases much too short, lasting only through a few winter months at most. The heaviest immigration, however, comes from March to June, and these most recent newcomers should be provided for in summer sessions before the early desire to learn our language and customs wears off. Los Angeles with its nine months' term should be emulated, while New York city conducted classes in the summer of 1913-14 with a large enrollment.

EVENING SCHOOL CERTIFICATES

Louis F. Post recently said in a public address: "I hope to see the possibility of a certificate of the common schools of the country accepted by the courts, because they have reason to give forth to them a full and complete certificate or proof of the Americanization intellectually and morally, if necessary, of the alien applicant for citizenship." Fortunately the way is paved for the adoption of this measure by the action of the federal court in Los Angeles, where the judge accepted the certificate of evening school work of the applicant as sufficient evidence of his educational qualifications for citizenship. In so doing the immigrant is enabled to attach his early enthusiasms to an American institution which offers to him opportunities for becoming a citizen. The whole process becomes more visible and tangible, and his introduction to citizenship comes through the finest channels and under the most favorable auspices. The reaction upon the school itself is favorable also, since the school organization must then of necessity adapt itself to the important task of supplying a comprehensive system of education of immigrants in English, American history, and American government. The hopes of

the immigrant are then transferred from a political club or ward leader to a corps of specially trained instructors whose sole aim is to help him in every way as much as possible.

The following is a copy of the certificate now accepted by the federal and state courts in Los Angeles.

LOS ANGELES EVENING HIGH SCHOOL

DEPARTMENT OF CIVIC EDUCATION OF IMMIGRANTS

This is to certify that has completed the course and passed the examination in United States Citizenship as approved by the Superior Court of the State of California and the United States District Court, having jurisdiction of naturalization in Los Angeles County.

.....*Principal.*

.....*Director.*

Date.....

Director Kelso of the department of civic education of immigrants, Los Angeles, says in a circular entitled "Civic Education of Immigrants":

The civic education of immigrants is one of the fundamental requirements, and great credit is due the courts of Los Angeles for recognizing the work of the schools as they have done by accepting certificates of the work of the schools as evidence of mental qualifications for citizenship. Presiding Judge J. P. Wood of the superior court first recognized the better preparation of applicants who have been in the citizenship classes of the public schools and the advantages of accepting such certificates, and secured the approval of the federal authorities. Accordingly school diplomas certifying that an approved course has been pursued, are accepted by the federal and state courts, and those who present them are excused from public examination in court. As this is done with the approval of the federal naturalization authorities, the way is open for the adoption of the same method anywhere in the United States.

PUBLICITY

It is unreasonable to provide an elaborate equipment for evening school work for immigrants and then not have this equipment and organization used. A proper system of publicity is necessary to achieve the best results. I have already indicated the usefulness of a supervisor in this respect, for he should conduct the publicity campaign. The schools must co-operate with every possible agency to advertise the time and place of these classes, in languages used by the immigrants of the city. The Federal Bureau of Naturalization is co-operating by sending to school authorities the names of those immigrants who have applied for their first papers, and by informing the applicants of the existence of evening schools. The director should keep in touch with the local naturalization authorities and courts to obtain the names of applicants. He should further place posters in factories, libraries, halls, poolrooms, stores, stations, saloons, street cars, and every public place available. Children should be given messages to take to their parents telling of the even-

ing school classes. Announcements in the moving picture theaters, shop talks, addresses to local clubs and national organizations that are to be found in immigrant districts, notices in pay envelopes—all these aid in bringing the opportunity to those who should use it. In some schools, councils formed from the various nationalities represented have served to good advantage in advertising. One city, Buffalo, employs a special visitor. Local chambers of commerce are always willing and ready to serve in a publicity campaign, and in Detroit such a combined effort resulted in an increase in evening school attendance of 152 per cent.

LIBRARIES

The libraries have been among the first of our city institutions to respond to the new demands created by immigrants. Many have placed an emphasis on their foreign language departments in co-operation with evening school principals. They have advertised citizenship classes through bulletin board announcements and by placing announcement slips in books drawn by foreigners. In some of the branch libraries citizenship classes have been conducted, and while this work may well be transferred to the local evening school there is still left a wide field in which they may assist by supplying good books on American government and history adapted to immigrants. Mr. John F. Carr, director of the Immigrant Publication Society, reported recently a very wide use of the libraries in American cities in connection with the general movement for the instruction and naturalization of immigrants.⁴

SOCIAL CENTERS

The establishment of centers for immigrant education adequately organized and financed marks a new development in facing the immigrant problem. The immigrant will no longer come with ideals that are only to be crushed out in the complex and disheartening life of the typical immigrant quarter, but will be met by the city schools with their opportunities to learn the English language and American government and history. The hopes and aspirations which draw so many to America will no longer be repressed, only to seek expression later in lawlessness and vice, in attachment to improper political organizations and local bosses who prostitute these sources of political life, but will find cordial welcome in neighborhood centers of education and recreation. The spread of the movement to provide for neighborhood clubhouses of which settlements are an earnest is not due to mere sentiment, but to a growing realization of the importance of assimilating both the foreign and native elements into normal, healthy city life. "The prosperous classes have begun to find that a demoralizing political régime, bred in the midst of

⁴ *Some of the People We Work For*, Immigrant Publication Society, 241 Fifth avenue, New York city.

an alien, ill-favored way of life, is getting its hold upon the affairs of their pleasant residential districts, and even threatens at times important downtown business interests."⁵ The problem must be met by a city program combining the educational and recreational opportunities which shall insure the immigrant a fitting integration into American life.⁶ The problem is too vast, too complicated and too crucial to be left to the spasmodic efforts of private agencies.

HOW ZONING WORKS IN NEW YORK

BY HERBERT S. SWAN¹

New York

THE adoption of the zoning resolution in New York marked the inauguration of a new epoch in American city planning. Prior to its enactment, public restrictions regulating the height, use and area of buildings had received but scant consideration in this country. In most cities such regulations were absolutely unknown. Only a few cities like Boston, Los Angeles, Minneapolis and Washington, had had any experience with them at all.² Since its enactment, New York has become a Mecca for pilgrimages of citizens and officials who would have their cities profit by her example. Its adoption by New York gave zoning considerable impetus. Fresno, Oakland, Newark, Jersey City, Niagara Falls, Cambridge, Philadelphia, Milwaukee and St. Louis have appointed commissions that are now at work on zoning plans for their respective cities. Berkeley and Sacramento adopted ordinances regulating the use of buildings while the subject was under discussion in New York.

The purpose of this paper will be to chronicle the developments that have occurred in the New York use district regulations up to the end of 1917. As the erection of high buildings has all but ceased on account of the war, the effect of the height and area restrictions has not been very noticeable.

NON-CONFORMING BUILDINGS

In the establishment of residential and industrial districts it is clear that it would be exceedingly difficult, if not impossible,—and if possible, most inequitable, to treat existing buildings that did not conform to the proposed regulations in the same manner as those that conformed.

⁵ *Americans in Process*, R. A. Woods. Boston, 1902.

⁶ For many of the suggestions here presented I am indebted to the *Immigrants in America Review*, published by the Committee for Immigrants in America.

¹ Secretary, zoning committee, New York.

² For a full description of the restrictions in these cities see articles by the writer in the report of the heights of buildings commission, New York, 1913.

Any existing use should as a general rule be allowed to continue. All existing uses have been established under the sanction of existing or past laws and are therefore entitled to protection. To disturb them would cause much dissatisfaction in the affected quarters and might jeopardize the whole zoning scheme. But changes or extensions of non-conforming uses are to be treated in a manner different from the continuation of such uses. A new use or an extended use has not acquired a vested right to exist. To prevent its introduction into the district, therefore, presents no question of equity like that of continuing an existing use.

In laying out use districts two principles should be observed so far as changes or extensions of uses in existing buildings are concerned:

(1) Buildings situated in restricted districts and conforming to the use regulations of their district should in the future be obliged to continue to conform to these regulations; and

(2) Buildings situated in restricted districts and which do not conform to the regulations of their use district, when having their use changed, should be obliged to have it changed in so far as possible in conformity with the regulations of the use district in which they are situated. Where conformity is impossible, the change should be as far as possible in the direction of conformity.

The original section of the resolution treating of non-conforming buildings was so ambiguous as to make it exceedingly doubtful whether it observed either of these principles. In fact the situation was so critical that it threatened the early breakdown of the use district regulations in many built-up portions of the city unless speedily corrected. The amendment adopted by the board of estimate on December 21, 1917, remedying these defects is the most far-reaching one yet made to the resolution.

THE AMENDMENT OF DECEMBER 21, 1917

In the first place, it settled a question that had given rise to probably more misunderstanding than any other in the resolution, viz., Could buildings situated in business districts, designed for business or residence purposes, but which contained a limited amount of manufacturing on July 25, 1916, have their manufacturing use extended throughout the building? The commission on building districts and restrictions clearly intended to keep these buildings in the same class as new buildings erected in business districts, i.e., to limit the manufacturing use of such buildings to 25 per cent of the floor area, but not to a smaller floor area than the lot area in any case. If the manufacturing use in these buildings might be extended throughout the building, then the protection of the Fifth avenue district against the introduction of more manufacturing in buildings already constructed was practically *nil*. The amendment makes it plain that buildings which conformed to the regulations of their use district on July 25, 1916, will have to conform to these regulations in the future.

Another serious weakness in the resolution was that it allowed existing nuisance uses to be extended at the expense of non-nuisance uses. With this provision in the resolution there was nothing to protect a restricted district against steady deterioration. If this situation had been allowed to remain, it would to a large extent have offset the benefits arising out of the prohibition of new nuisances in restricted districts.

A third defect in the resolution of scarcely less danger than either of those described was that it allowed manufacturing and business uses to be extended at the expense of residential occupancies in residence districts. The amendment has the effect of preventing the encroachment of stores and factories situated in the basement or ground floor of dwellings and apartment houses upon the space now used for residential purposes.

A fourth question, which was more or less mooted and which the amendment clarifies, is what changes of use will be allowed when accompanied with structural alterations. The different nuisances are subdivided into forty-four different groups. For the purpose of continuing a nuisance use structural alterations are allowed to the extent of 50 per cent of the value of the building, exclusive of foundations. There may, however, be no extension of the nuisance. A change of one nuisance into another nuisance included in the same group is treated as a continuation of the same use. A change of one nuisance into another nuisance not included in the same group is treated as a change of use in which case no structural alterations are allowed.

The amendment also undoes the mischief done by the non-fireproof garage ordinance passed by the board of aldermen in July, 1917, in so far as it affects the zoning resolution. A construction placed upon the resolution by the board of appeals permitted public stables to be changed into garages without a public hearing, provided the cost of the structural alterations did not exceed one-half the value of the building exclusive of foundations. The commission on building districts and restrictions intended that no stable which required structural alterations should be changed into a garage except after a public hearing. Before the adoption of the non-fireproof garage ordinance by the board of aldermen this rule followed by the board of appeals did not make any great material difference as the fireproofing provisions of the building code were so stringent that very few stables, if any, could be so altered without a larger expenditure than that allowed by the resolution. The new garage ordinance and the rules adopted under it by the board of standards and appeals, however, reduced the fireproofing provisions of the building code to such a degree that practically any stable less than fifty feet high could be changed into a garage. The amendment remedies this situation by requiring the board of appeals to hold a public hearing in each instance.

The intention of the framers of the resolution was to permit any existing use to continue undisturbed whether or not it conformed to the regulations of the use district in which it was situated. "Any existing use," however, appeared in the resolution; when passed, as "any existing lawful use." Correctly understood, this difference in phraseology should have made no difference in the administration of the law, the board of estimate, of course, having no power to declare lawful any use which the legislature had made unlawful. But many persons, including certain officials charged with the enforcement of the law, construed the word "lawful" as being synonymous with the word "legal." As the legality of an establishment frequently depends upon a technical compliance with the statutes or the municipal code of ordinances, the effect of this interpretation, had it been consistently applied to the administration of the law, would have been to exclude a large number of non-conforming uses in the restricted districts. A garage, for instance, which had not paid its license fee would have been obliged to discontinue. So would a factory upon which a violation had been filed. The absurd length to which this conception of the law was carried is illustrated by the attempt of an adjoining owner to eject a long-time squatter under this provision of the resolution. The amendment drops the word "lawful" and allows any non-conforming use existing on July 25, 1916, to continue.

The resolution also allowed a use which contravened the regulations of its use district on July 25, 1916, and which had since been changed to conform with these regulations at any time to be changed back again into a use contravening the regulations of its use district. The amendment corrects this weakness of the resolution by providing that any existing use, which violated its use district regulations at the time of the passage of the amendment and which at any time thereafter is changed into a use that conforms with its use district regulations, may not be changed into another use except in accordance with the provisions of its use district.

GARAGES

Another amendment adopted on December 21, 1917, treats of the erection of garages and stables in business districts. The decision in the case of *Beinert v. Miller*³ left the powers of the board of appeals in a somewhat doubtful position with reference to garages. The framers of the zoning resolution intended to authorize the board to allow, after a public hearing, the erection of a garage or a stable upon any block which contained a garage for more than five motor vehicles or a stable for more than five horses, the permission to extend to both sides of such a street. The decision in this case, however, seemed to limit the discretion of the board to allow such structures only on the same side of the street. The amendment rectifies this error and makes it plain that a stable or a garage

³ New York Law Journal, June 18, 1917, p. 1045.

may be erected on either side of a street between two intersecting streets that contained a garage or stable on July 25, 1916.

The amendment also clearly defines on what streets the board of appeals may allow a garage or a stable to be erected in a business district. The resolution limits this discretion of the board to such streets as contained a "public garage or public stable" on July 25, 1916. What constituted a "public garage" or "public stable" was not defined. The board has, however, construed a public stable as one sheltering more than five horses and a public garage as one containing more than five cars. The amendment incorporates this definition into the resolution.

Another amendment adopted to the resolution by the board of estimate on September 21, 1917, authorizes the board of appeals to permit in a business or residence district, after a public hearing, the erection of a garage provided the petitioner files the consents, duly acknowledged, of the owners of 80 per cent of the frontage deemed by the board to be immediately affected by the proposed garage.

This amendment is designed to take care of the garage problem in the outlying sections of the city. In Brooklyn and Queens, for instance, there are large restricted districts that are situated at a great distance from an unrestricted district, or from a business district containing a public garage or a public stable. These sections, which are being developed with private houses or apartment houses, of course, need public garages. This amendment is designed to afford them this convenience at the same time that it protects them against the garage nuisance. Before this amendment was passed the only way in which these neighborhoods could obtain a garage was by petitioning the board of estimate for the extension of the unrestricted districts and this usually opened up a whole street for invasion by every prohibited nuisance.

An effect already noticeable from the adoption of this amendment has been to lessen the number of changes petitioned for in the zoning maps. This is despite the fact that only two appeals have been granted under the provisions of the amendment during the first three months of its operation.

PERMITS ISSUED PRIOR TO ADOPTION OF RESOLUTION

The resolution when passed on July 25, 1916, gave owners to whom building permits had been issued prior to the adoption of the resolution until one year after the approval of their plans, but not later than October 25, 1917, to complete their buildings up to the second tier of beams. This permission applied to all buildings for which permits had been issued whether or not they complied with the particular height, use and area districts adopted by the board of estimate. Permits for buildings on which this amount of work had not been done by the stipulated date were to lapse. In other words, such buildings if erected after October 25,

1917, had to conform with all the requirements of the zoning resolution. This concession was granted to afford those owners who had entered into contracts with architects for drawings or with builders for labor or materials the full benefit of their plans. The board of estimate did not wish any one who had entered into *bona fide* contracts for the erection of buildings to suffer financial loss on account of the enactment of the resolution. One year was, however, assumed to be sufficient time for the demonstration of this *bona fide* intent.

When this period of one year was almost ready to expire a few owners, who had obtained permits for the erection of prohibited buildings within restricted districts before the passage of the resolution, petitioned the board of estimate for an extension of time. To have given a blanket extension to all would have been most unfair to the restricted districts. The civic organizations interested in the enforcement of the resolution at least considered it as a direct attack on the law. On October 19, 1917, after the matter had been hanging in the balance for almost five months, the board of estimate solved the problem in a very satisfactory manner by extending the time one year for the completion of such buildings, the construction or fabrication of which would in the opinion of the board of appeals have been completed on time but for the intervention of conditions beyond the owner's control and impossible for him to foresee. This compromise instead of extending the time of an unknown number of buildings in all parts of the city, at least over a hundred buildings, affected but two buildings.

This solution, needless to say, did not satisfy the defeated owners. They next attempted to get the board of estimate to extend the time of such buildings as violated the height and area restrictions but not the use restrictions. In this attempt, too, they failed, the board of estimate turning the proposition down on December 14, 1917.

MAP CHANGES

Up to November 20, 1917, the board of estimate had acted on 53 proposed amendments to the zoning maps. Of these, 47 affected the use maps and 6 the area maps. The board declined to grant 20 of the amendments petitioned for to the use maps. All of the amendments proposed to the area maps were adopted. Of the 27 amendments made in the use maps, all but four were in the nature of a relaxation of the restrictions. These four changes extended the residence restrictions at the expense of the business restrictions. The remaining 23 amendments involved 26 changes in the use district boundary lines as one of the amendments effected three changes and another two changes. One change extended the unrestricted district at the expense of the residence district; eight the business districts at the expense of the residence districts; and 17 the unrestricted districts at the expense of the business districts. The

new unrestricted districts were probably in most instances created for the purpose of allowing garages. Of the six amendments made to the area district maps two were in the nature of a tightening of the restrictions.

No special significance is to be attached to the fact that most of the changes made in the zoning maps relaxed the restrictions. The changes, practically all of which affected very small areas, were, as a general rule, necessitated by a mistake in the imposition of the restrictions.

The few amendments to the zoning maps adopted by the board of estimate in the way of tightening the restrictions, however, demonstrate the futility of voluntary restrictions. If zoning is to be left to petitioning property owners there will be very little zoning done. Zoning to be effective must be carried out at the initiative of the city itself.

THE BOARD OF APPEALS

One of the most satisfactory provisions of the zoning resolution is that which authorizes the board of appeals to administer it so as in exceptional cases to obviate unnecessary hardship. A rigid application of the law without regard to existing property lines or to surrounding conditions would often prove arbitrary and instead of conserving property values would actually cause their decrease. A mandatory law which treats exceptional cases in the same manner as it treats average cases cannot be nearly so drastic in its provisions as one which allows discrimination and good judgment to be used in enforcing it under peculiar circumstances.

Vesting authority in the board of appeals to vary the use district regulations to meet the needs of these exigencies permitted the adoption of a much broader and more comprehensive plan than would have been possible had all property been subjected to the same restrictions regardless of mitigating conditions.

At first the board considered merely the abstract question whether it would or would not allow an exception to be made. This method proved very unsatisfactory as it clogged the calendar with hypothetical appeals brought, not by really interested parties, but by enterprising real estate men. In one case, for instance, the owner appeared as a protestant against the granting of an appeal affecting his own plot! The courts, however, helped to solve this difficulty. In *Beinert v. Miller, supra*, it was decided that the board, being of an appellate character, cannot exercise original jurisdiction in the disposition of matters which must first be submitted for the decision of other departments, even though such departments have absolutely no discretion. Its authority is strictly limited to reviewing decisions of administrative officials. It cannot entertain abstract propositions. In the case of new buildings, for instance, its action is limited to a consideration of the particular plans rejected by the building superintendent. The board may approve or

disapprove of these plans or it may indicate modifications and changes necessary to have the plans meet its approval. It cannot anticipatorily and decisively act upon plans not before it.

Two or three illustrations may be given of the conditions imposed by the board to safeguard the character of the restricted district. In one instance an appeal was granted for an extension of an existing factory on the condition that not more than ten persons were to be employed in the building at one time. In another instance an appeal was granted for the extension of a business building in a residence district on the condition that no show windows or entrances would be placed in that part of the building within the residence district. In a third instance an appeal for the erection of a garage in a business district was granted on the condition that the front of the building should have the appearance of a business building rather than that of a garage. In granting appeals for the erection of garages in restricted districts the board very frequently inserts a condition prohibiting exits or entrances on certain streets.

The first appeals granted by the board did not limit the time within which the building operation had to be completed. As the board might grant an appeal under existing conditions to-day and decline it under changed conditions two or three years hence, it was deemed best to impose a time limit upon the life of all appeals granted. At the present time each appeal is granted on the condition that the necessary permits for the work be secured within nine months and that the work be completed within eighteen months of the date of the granting of the appeal.

Up to December 31, 1917, the board of appeals had disposed of 483 building zone appeals. Of these 216 were granted; 114 denied; 96 dismissed; and 57 withdrawn.

VIOLATIONS IN EXISTING BUILDINGS

The fire commissioner is charged with the enforcement of the use district regulations in all existing buildings except tenements. Under this authority the commissioner has taken prompt action on all violations complained of by citizens. Some fifty complaints have thus been acted upon during the past year. Most of these involve garage violations; but others involve rag shops, tailor shops, dry cleaning establishments and factories which have invaded restricted districts.

The commissioner has done everything in his power to encourage citizen complaints on violations of the resolution. Announcement of his willingness to act on complaints has been published several times in the newspapers. In addition to this he has also had 50,000 circulars printed for distribution among taxpayers, civic and neighborhood associations and home-owners asking them to make a prompt report of any violation of the restrictions. To enable him to enforce the law more readily, the tenement house commissioner has made an exact census of all the non-conforming uses located in tenement houses throughout the city.

ZONING IN THE COURTS

The attitude of the courts thus far toward zoning has been most favorable.

Rotterdam Holding Co. v. Hunts Point Garage Co. and *Grant v. Hunts Point Garage Co., Inc.*,⁴ were both motions *pendente lite* restraining the defendant from erecting a garage in violation of the resolution. As the court held that the permit obtained for the erection of the garage was perfectly legal, the question of constitutionality was not considered.

*Anderson v. Steinway & Sons*⁵ was an action to enforce the specific performance of a contract for the property known as No. 112 West 58th street. The contract of sale contained the usual covenants and warranty conveying the fee simple of the premises free from all incumbrances. The purchasers, Steinway & Sons, acquired the property with the intention of improving it with a warehouse, but nothing was said of this intention in the written contract. Between the making of the contract and the date set for the delivery of the deed, the resolution was passed, restricting the block in which this particular plot was situated to residential purposes. On the ground that they could not erect their projected warehouse, Steinway & Sons refused to fulfill their part of the contract. The seller brought action for specific performance claiming among other things that the resolution was unconstitutional.

The special term of the supreme court, in deciding the case, held that Steinway & Sons were obliged to take title whether the resolution was constitutional or not, as the resolution did not constitute an incumbrance or restriction within the meaning of the contract. The court held that an incumbrance or restriction which could justify a rejection of title must be one imposed upon the property, not by act of law, but by some affirmative act of the grantor or his predecessor in title, or in consequence of a violation of law on their part, through an act of omission or commission, for which they were responsible. The resolution, moreover, did not in itself render the title unmarketable as the marketability of property has reference only to a defect in or a doubt to the title. An unexpected intervention of a law restricting the use of the premises to residential purposes, therefore, did not prevent the seller in this case from delivering the deed nor the buyer from accepting the deed.

The defendant appealed from this decision. In reversing the judgment of the lower court, the appellate division of the supreme court refused to be drawn into a discussion of the constitutional point. The court held specific performance to be inequitable whether the resolution was valid or invalid. If the resolution was valid, the defendant could not erect his warehouse; if it was of doubtful validity the defendant

⁴ New York Law Journal, December 22, 1916, p. 1068.

⁵ New York Law Journal, January 23, 1917, p. 1446.

would have to establish its invalidity through a lawsuit. The opinion of the appellate division has been affirmed by the court of appeals.

*Lincoln Trust Co. v. Williams Building Corporation*⁶ involved a real estate transfer entered into after the enactment of the resolution. The plot was sold in fee simple free from all incumbrances. Nothing was said in the contract about the residential restrictions imposed by the resolution on the parcel. The question presented to the court was whether these restrictions imposed by the resolution constituted an incumbrance which would absolve the purchaser from his contract. The special term of the supreme court held that it did not. The zoning resolution, the court said, is in the nature of a governmental regulation subject to which all property is held and all contracts and conveyances are made. Locally it is the law of the land; all titles are held and enjoyed in subordination to it, and all persons who enter into contracts for the purchase or sale of real estate must be deemed to have contracted in accordance with the limitations imposed by it.

Albany Heights Realty Co. v. Vogt came up in the special term of the supreme court. This case also involved a suit for specific performance in a real estate transaction entered into after the adoption of the resolution. In this instance the buyer had purchased the premises in question for the purpose of conducting a riding academy. The property was situated in a business district. The board of appeals granted the buyer permission to erect his riding academy but this decision of the board was immediately attacked by neighboring property owners who in a *certiorari* proceeding claimed that the board had no authority to permit a riding academy on these particular premises. The claim of the neighboring property owners was upheld in the case of *Beinert v. Miller*. Nothing was said in the contract of the buyer's intention to erect a riding academy. But when he was barred thus by the courts from erecting his riding academy he maintained that the omission of all reference to this intention in the contract was due to a mutual mistake by the contracting parties. He therefore answered the suit for specific performance by petitioning the court to reform the contract. The defendant's claim of mutual mistake was supported by the testimony brought out at the trial and the court accordingly reformed the contract. This released the buyer from his purchase.

The effect of *People ex rel. Beinert v. Miller*⁷ has already been discussed.

*Whitridge v. Park*⁸ disposed of an application for an injunction to restrain the maintenance of a restaurant at No. 47 Fifth avenue. This restaurant had been established in a residential building in a residential district, in violation of the resolution. The injunction was applied for

⁶ New York Law Journal, July 20, 1917, p. 1368.

⁷ New York Law Journal, June 18, 1917, p. 1045.

⁸ New York Law Journal, February 19, 1917, p. 1808.

by neighboring property owners. The case was tried before the special term of the supreme court. The court decided that the injunctive power is not available in behalf of a private individual in enforcing the zoning resolution. This decision was based on two grounds: first, that a violation of the zoning resolution does not injure adjoining property in such a manner as to warrant a differentiation between the injury suffered by it and that suffered by the remainder of the community; and secondly, that equity does not undertake to restrain an act which violates a municipal by-law or ordinance unless the act is a nuisance *per se*. The lower court has been sustained in this opinion by the appellate division of the supreme court.

ATTITUDE OF PUBLIC TOWARD ZONING

The best supporter the resolution has is the man who has built in accordance with its provisions. Having put up a building that conforms to the law, he has more than an academic interest in seeing others live up to it. The strength of this force is cumulative, each additional new building adding to it, until in time it will become one of the strongest bulwarks against the resolution's overthrow. Zoning is rapidly becoming a well-established institution in New York. Being almost solidly back of it, property owners show little or no inclination to litigate it in the courts. Owners generally appreciate the immense advantages resulting from its adoption. Their one regret is that zoning was not put into effect years ago.

THE PROBLEM OF CITY GOVERNMENT IN CHINA

BY FREDERIC C. SZE

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THE problem of city government in China is not so new as to stand in danger of being misapprehended for a novel question in the science of government; nor is the problem so old as to convey to the mind of the reader definite ideas of its nature, importance and solution. To be sure, China had begun, almost a decade ago, to lay the foundations for an efficient system of local government based, for the most part, on principles brought from other countries and had made repeated attempts toward an earlier adoption of the new method; but it was not until 1912 when the monarchy was overthrown that the people undertook a radical scheme for governing themselves. In the summer of 1914, a reaction came and the old order was re-established. Three years had hardly elapsed before another reaction occurred, which resulted in the widespread demand for the reinstallation of local self-government. However, the whole interest of the people is now being

concentrated in the drafting of a permanent constitution and the struggle between the centralizing influence of a strong national administration and the decentralizing influence of provincial or local autonomy is yet to be fought out. On the result of that struggle will depend the form of city government to be ultimately adopted throughout the land. It may, therefore, well be said that the origin of the problem is comparatively recent. To my mind, the problem of city government in China is essentially and emphatically a problem of efficient local self-government.

THE ANCIEN RÉGIME

Before proceeding to an examination of the several attempts at municipal reform, it will perhaps be advisable to give some attention to the political principles, the forms and the machinery of the *ancien régime* in China. For this purpose an analysis of the character of the government is more essential than a minute description of its organization. At the same time a simple account of the theory and practice of local government in small communities will serve as an introduction to the municipal problem.

The foundations of the Chinese political structure date from time immemorial and remained substantially the same until the outbreak of the revolution. The emperor stood at the head of the government as an absolute and unlimited monarch, in theory at least. He appointed all the officials of the empire, but as a rule, the actual choice in the lower ranks was made by the superior provincial officials. A complete hierarchy of officialdom existed under the defunct Manchu dynasty.

According to the Confucian philosophy, which has been the foundation of Chinese political thought, the emperor and his representatives, the officials, were looked upon as the fathers of the people, and the submission to parental authority was a duty to be strictly observed by all. In the long Chinese story, however, the people are the real heroes; for as Mencius, a disciple of Confucius, said: "The people are the most important element in the nation; the spirit of the land and grain are next; and the sovereign is the least." "Heaven sees as the people see; and Heaven hears as the people hear." The nation is the tree, the dynasties were but the leaves. National government and responsibility must be shared with the people; for if the millions in China were not satisfied with the existing rule, nothing would be easier for them than to unite and overthrow it. The influence of the Confucian Classics has been great and far-reaching. "On the one hand they have curbed the multitude in their radical tendencies and on the other acted as bulwarks for the people against unwarranted governmental encroachments."

The practical efficacy of the system in promoting the welfare of the people and maintaining the peace and order of the country depended primarily upon the district magistrates. They were in close touch with

the people. Speaking of the district magistrate, one writer says: "The magistrate is the backbone of the whole official system"; and "to a great majority of the people, the embodiment of all the essentials of the government." As a matter of fact, he was in a position of great independent authority. Briefly put, China had a very loose political organization. Although it appeared to have elements of stability, it was often practically weak in the very points where it most needed strength, namely, in its capacity to put forth powerful and sudden measures.

EARLY TRADITIONS OF LOCAL SELF-GOVERNMENT

In the eyes of many foreign observers, China appeared to be a land of contradictions. No matter on what other ground that view might be based, it cannot be denied that the fundamental antithesis between imperial autocracy and local autonomy as it existed under the Manchu dynasty contributed greatly toward the creation of that belief. China was reputed to have one of the most absolute governments in the world. The government, though patriarchal, was not paternalistic. It did not wish to be bothered with local problems and had no thought of meddling in them. So all matters of local concern were left to the people and were consequently managed by the headmen and elders who obtained their positions by and with local popular approval.

Every town or city had several headmen, whose duties were many and varied. They were called upon "to settle disputes, to represent the people in the case of litigation in local courts, and, in general, to be the intermediary between them and the civil power." The headman had to report whatever of importance occurred within his ward or constituency. The district magistrate, who was coroner as well as land registrar, depended largely upon him for fulfilling his multifarious duties.

Another factor which played an important part in local government was the gentry and merchant guilds. "When Chinese from one province of China settle in another, one of their first acts is to establish a guild or guilds in the centers where they reside. These, formed primarily for protection, gradually assume municipal functions, and for many reasons, chiefly financial, are looked upon with favor by the local authorities. They can be relied upon for contributions, and are also useful bodies when any scheme of betterment is propounded from without. The opposition of the gentry and guilds can always be cited as a powerful lever to block reforms and to palliate inaction."

Besides these guilds, there were also guilds of native merchants, which exercised the municipal duties of maintaining the streets, drains, and bridges, providing food and extra clothing to the poor, keeping in order the ponds and wells for the water supply, guarding commonalties and supplying theatrical performances and other entertainments. These unofficial gentry and guilds together with the *ti-pao* or local constable really constituted the executive board of the city or town.

Certainly in more instances than one, the democratic element was detected in the habit of local self-government. No restrictions were placed upon the right of assemblage by the people upon the consideration of their own affairs. The government had no other security for itself than espionage and by a graded responsibility was able to hold all its subjects under strict control.

In short, the government of China was nothing less than a unique combination of democracy and autocracy. Perhaps in no other large state has the principle of local autonomy and *laissez faire* ever been as consistently observed so far as municipal affairs are concerned as in the Chinese political organization.

MUNICIPAL REFORMS

So long as China was left to herself, the system of government just described was fairly satisfactory, though not conducive to progress. When pressure began to come from without, when it became necessary to meet the aggression of foreign nations, both the central government and the people realized that reforms of all sorts, especially in the line of government, must be introduced to keep pace with the advancement of world civilization. A reform of the system in the sense of defining exactly the scope of authority of the existing organs of local administration has been going on since 1906. By the program of reform schemes drawn up by a special commission and sanctioned by the emperor on August 27, 1908, the introduction of local self-government was to be begun in 1909, so that the establishment of local self-government institutions for cities, towns and villages might be completed in 1913. Regulations to that effect were promulgated in 1909 and 1910. Some of the main features were: (1) Each city to have a city council as a deliberative body and an executive board. (2) The members of the municipal council (the number varying from 20 to 50 depending on the population) to be elected by delegates chosen by the electors directly for a term of two years; while the members of the executive board (in number equal to one twentieth of the total number of members of the council) are to be elected from the ranks of the electors by the municipal council; from four to twelve honorary members to be included in the board; all members of the board to be approved of by the government authorities. (3) Supervision over the actions of the municipal administration as regards its regularity and legality to be exercised by the local authorities, who, in this connection, should forward detailed reports of the proceedings of local self-government institutions to the governor-general or governor of the province. The Ministry of the Interior to possess supreme control. (4) All people who are Chinese subjects, not less than twenty-five years of age, who have resided in the city for three consecutive years and pay a direct tax or contribute not less than two

dollars for local public needs, to be electors, with the right to vote for, and to be elected as, members of the municipal administration. Persons attached to local officials, as well as officials at local police establishments, to lose the franchise and to be ineligible for election; teachers in elementary schools to be eligible for election but not to vote.

These regulations, based largely on the European model and drawn up to suit the peculiar needs of the country, did not come into effect until toward the end of the Manchu *régime* when the emperor was obliged to satisfy the popular demand for the early adoption of the new system of government. Consequently representative legislative assemblies were instituted in provincial cities.

STATES' RIGHTS VS. LOCAL AUTONOMY

Scarcely had that system had a fair trial when the revolution of 1911 broke out, resulting in the overthrow of the Manchus and also of the monarchy. It is not our purpose here to go into the immediate and remote causes of that epoch-making event. Suffice it to say that the revolution was not only a protest against corruption, misrule and inefficiency on the part of the ruling family but also a conflict between states' rights and local autonomy on the one hand and a policy of national control on the other. The forces of centralization and decentralization were at work and found an issue in the question of nationalization of railways.

A period of confusion and turmoil followed the establishment of the republic. In all matters, there was no standardization; uniformity was the exception, local regulations the rule and elasticity invariably apparent. Most administrative officials became elective and many of the provinces were fast slipping from the control of the central government. The torch of excessive liberty illumined the whole country. Time, and the collapse of the revolution in 1913, enabled Peking to regain and strengthen its authority. In 1914 all local legislative bodies were dissolved and all officials were appointed directly by the central government. The outlook for democratic government was certainly unpromising. The Yuan administration favored gradual introduction in place of excessive responsibilities which, as the first result of the revolution of 1911, devolved upon the shoulders of the people. Another new municipal code was drafted and promulgated, similar in nature to that proclaimed by the Manchu emperor. It consisted of five sections of thirty-eight articles. An ordinance provided that the provisions would go into effect only after two successive stages of investigation and preparation. Although the code has not been carried out, and probably will not be tried owing to the accession of the progressive party to power after the death of former president Yuan Shih Kai in June, 1916, it deserves more than passing interest.

THE MUNICIPAL CODE OF 1911

The municipal code treats all municipal units as *chus* or divisions of self-government. The mayor and the members of the municipal council are appointed by the *Hsien Chih Shih* or district magistrate from the nominees selected by the voters. The council meets twice a year, each session lasting twenty days. The scope of the council's deliberations is limited to affairs of sanitation, philanthropy, education, communication, agriculture, trade and industry. The council is also empowered to consider ways and means to raise revenue, to pass the local budget, to manage the local public property and to propose prosecution. On the other hand, the mayor prepares the resolutions, executes the ordinances of the council which have been confirmed by the district magistrate, the orders of that central official and national laws, and determines the way to carry out the provisions of the council's ordinances.

The power of the district magistrate is surprisingly great. Everything has to go through his hands, even the budget, before it goes to the council for passage. Whatever may be said against the code, there are of course a few merits, the chief one being the intense, if not excessive, central administrative control. It would have been interesting to have seen how the code would work; but it met the same fate as the former code.

Dating from the suspension of all local legislative bodies to the present moment, there has been no local self-government. All municipal powers have been concentrated in one person, the district magistrate, appointed by the Minister of Interior through a competitive civil service examination. He is assisted by his chiefs of administrative departments, who are responsible to him alone. Only recently the provincial assemblies have been restored, but the subordinate local assemblies are yet to be found. The whole country now watches with strained attention the activity of the Li administration in its efforts to improve local self-government.* As to what course it will take, it is very hard to conjecture at present, but we may be pretty sure that much of the central control as found in the former municipal codes will be retained.

PROBABLE SOLUTIONS

Having painted a picture of the Chinese system of government and the various attempts at municipal reforms, we come now to the real issue of the problem—how can it be solved? In attempting to answer that question, we find ourselves involved in a network of other problems. Before we can find a proper solution, we must determine, first of all, how the city shall be controlled, whether by the people themselves or by the central authorities.

As stated previously, the problem of city government in China is

* This was written in January, 1918.

essentially and emphatically a problem of efficient local self-government. To attain this end, central administrative control is absolutely necessary. Past experience shows that decentralization and the habit of independence in the Chinese political structure proved a source of hopeless weakness. The district magistrate should therefore be given as much power as the French prefect, if not more. The French model of municipal government will appeal more than any other to the Chinese people as a good example of local self-government with a high degree of central administrative control. The mere fact that the city serves as an agent of the national government makes it necessary that the district magistrate should see to it that all national laws are properly carried out by the city officials and that no local regulations or ordinances are in conflict with the existing national laws.

As an organ of local self-government, the Chinese city should be allowed to manage all affairs of purely local concern under the supervision of the district magistrate. In this case, the magistrate should act rather as an adviser and critic, thereby carrying out the old principle in the traditional institution. The city official should be made responsible primarily to the people, but in putting orders from above into operation, he should necessarily be made responsible to the central authorities.

As to the municipal machinery, a mayor and a small council would be sufficient for the Chinese city. The mayor would serve as an executive head and the council sit as a deliberative body. They should be elected at large by the voters subject to the approval of the district magistrate. This power of approval would be in accordance with the old practice which required the confirmation of the headmen of the city or town by the Hsien magistrate.

In the matter of suffrage, it would be advisable to keep the requirements as provided in the early municipal code. For the present at least, the franchise should be restricted as a safeguard against abuses. The introduction of universal suffrage should be the ultimate end, but not until the great mass of the people should have been educated to an appreciable and intelligent understanding of the true principles of democracy.

Finally comes the legal position of the city. Under the old RÉGIME there was no distinction or separation between judicial and administrative powers. This separation was, however, brought into being during the first years of the republic. A city should stand as a legal corporation. It must necessarily be so. It follows then that a city should be enabled to sue and to be sued, and to exercise the rights of a legal person.

CONCLUSION

The activity for reform in China has of late become so intense that it has affected various branches of the government, and the old organization of the state with its time-honored traditions has been making way

for another modelled after western nations. Since the establishment of the republic, every movement has been accelerated; and as each year passes, the solution of the municipal problem becomes more urgent. This is the time when the Chinese municipal chemist should cast the refractory ore into his crucible and ascertain its various components. The development will perhaps be slow and gradual, but it is only by successive stages of adjustment and readjustment that we may attain a reasonable degree of perfection.

The natural thing for the Chinese to do is to turn to other countries to learn what methods they have adopted and how they have solved these problems. But the study of all progressive nations is not equally instructive. We cannot graft with equal certainty of securing fruit the institutions of all other countries upon those of our own. France and Germany might teach us valuable lessons, but the methods in those two countries will not necessarily produce reform if transplanted to China. It is of inestimable value to us nevertheless, to know what methods have worked successfully in those countries with which China has something in common. Care should be taken not to repeat the mistakes they have made; but when we speak of adapting the French or German method to Chinese needs, we touch upon a subject on which it is well-nigh impossible to theorize very much. The only way is to discover by actual experience with the Chinese people in the matter of municipal government, just what to add, to discard or to modify. It is gratifying to note that efforts are being made to introduce the ideas and ideals of foreign nations. The results of these experiments will be awaited with interest.

In a year or two, another new municipal code will be drafted and as the cities grow in size the municipal movement will most likely assume new forms. It would be well for the framers of the code to keep in mind two watchwords: simplicity and efficiency. It is also imperative that they should weave into China's future the noble texture of her past. Development can come only through time; human progress can come only through experiment.

AN AUTOCRATIC MAYOR OR A REPRESENTATIVE COUNCIL

BY HARVEY N. SHEPARD

Boston

AS a natural reaction from disappointment in the working of our doctrine of divided powers, a council of two distinct and independent chambers, and a mayor with a veto, the whole executive control was placed in the hands of the mayor, and the council shorn of almost all its influence. The mayor in fact was made a dictator, the "czar mayor" as he was called; and for the time being, and within a prescribed territory, he became a Cæsar, responsible to no one for the exercise of his authority. The earnest advocates of this change used the argument, employed by apologists for autocracy all over the world: concentration of responsibility. It was declared to be "the most important gain in municipal reform in our time." But this method of government has been a failure, and its advocates cannot claim now the improvements which they promised to us. The alleged responsibility to the people is a vague and uncertain shadow.

The quality of the officials, appointed by the mayor, has not proved to be better than that of those elected by the council, and neither has the tenure of office turned out to be longer or more secure. Merit and capacity have not counted for more in determining appointments than they did in the days when the council possessed the patronage. Aside from party obligations, the temptation to any mayor, who alone is responsible for the administration of the city, to make new appointments is irresistible. He never can feel so much confidence in the appointees of his predecessor as he will in persons whom he chooses himself.

A serious defect has developed from secrecy in the matter of contracts, inasmuch as they have been entered upon in the office of the mayor, or of one of the heads of a department, without the knowledge of the community. The contract of 1909, between the city of Boston and the Edison Electric Illuminating Company, for the lighting of the streets, is a significant illustration; an important contract, binding the city for a term of years, was considered and executed in secret. In contrast to this, when contracts were made by the council, there were debate and ample notice in the newspapers; and, of course, information to the people.

The commission form of government, where the powers of the city, both legislative and executive, are placed in the hands of a small council of five or more men, of equal authority among themselves, has an advantage in that its council is a single body; and that, though one of its members is called the mayor, nevertheless, he has no more power than the other members, and of course no veto. The commission-manager

plan, giving the advantage of a single-headed administration, escapes some of the evils of autocratic power, because the manager is not independent, but is subject to instant correction, or even discharge by the commission, and therefore the city need not suffer long from his personal whims or prejudices.

But the commission form of government is undemocratic; and the arguments in favor are the same arguments which would prove an absolute monarchy to be the best form. While, like other changes, this form at first appeared to be successful, it is mere seeming and but for a time. Besides, it invites interference by the legislature, as it is not in accord with public sentiment to leave the determination of policies to small bodies.

THE COUNCIL IN CONTROL

Since we are committed to democratic institutions, the fundamental principle of which is the elective assembly, the only method to bring about good city government is to put the council in control. It cannot be said this method has been tried and has failed, because at no time in our history has the council actually been in sole control. For nearly an hundred years it was hampered by the two-chamber system, and by an independent executive, especially so when the mayor was given the power of veto. The power and influence of the council ever since has diminished steadily; its important powers have been transferred to the mayor or to state officials; and in many cases its control over the budget has been limited by statutory provisions, and in some cases it has been taken away. Deterioration in the quality of the councilmen has followed, and is a result rather than a cause of the weakening of its power.

The practical elimination of the council from city government has led to the assumption of its former powers by the state legislature, not responsible to the people of the city. The council becomes a debating society. If then home rule is of any importance, we must reconcile ourselves to the existence of the city council, and set to work to organize it in the best possible manner; and until this is done, we shall continue wandering in the wilderness.

COUNCILS USUALLY TOO SMALL

Our councils generally have been too small to be fairly representative of a large city: Glasgow has seventy-seven, Manchester an hundred and twenty-four, Liverpool an hundred and thirty-seven. No one ever has questioned the efficiency of these governments.

Also, if we would concentrate responsibility, the election should not be at large, but by districts. The term of ward politician has been made a matter of reproach; but it need not be so, and no one would think of electing all members of the legislature upon a ticket at large. We recognize that we secure a better legislature when they are chosen by districts.

The choice by districts is not because the district has definite interests necessarily separate from those of the city at large, and therefore each district requires a special spokesman, but in order that the people may know the man for whom they are called upon to vote. If the council be large enough so that the district is small, then the voters make choice only of one person, a simple matter. In Great Britain the election by wards is considered by many to be one reason for the integrity and efficiency of the councilmen, as it is evident the voters can use more care in the choice of one official than in the choice of many. Moreover, it is easier for a constituency to hold its representative to account, when he is its only representative, and the constituency is small enough so that all its members may know him.

The American city has been treated as a mere administrative division of the state; and the expression, city government, has been a mere figure of speech. While a private corporation can do anything pertinent to the purposes for which it is chartered, a municipal corporation can do only the things especially given it to do. It must ask permission for everything. A city should have the power, the same as is given to a corporation, to do everything, which, in its opinion, is necessary for the good of the city, provided, of course, that the action be consistent with the purposes of the corporation; and it is essential also that this power be exercised with freedom, with no interference from the legislature, or from any other body. A city must do something more than to be a mere organ of administration. We must recognize that civic patriotism is not developed by the mere machinery of administration; but by what is done for the welfare and enjoyment of the people. Men love a city which cares for them; and the pure business administration, of which we hear so much, never awakens any enthusiasm or devotion.

LONDON'S EXPERIENCE

The experience of Great Britain shows that good government can be obtained by a council; and the argument, commonly advanced, that, as most of the city's work is executive, it should therefore be vested in an executive office, is refuted by the experience of foreign cities, which admittedly are well governed under their councils. So large and important a community as London, with six millions of people and a budget of millions, is controlled by a council, elected by the people, and directing all its affairs. There is no supreme executive, with the powers for the time being of a despot, but merely a presiding officer, and council committees for the several departments. The other municipalities of Great Britain, though on a smaller scale, do equally well. The council may establish any administrative system which it deems wise and may alter it at pleasure. While, therefore, the framework is the same for every city, the administrative organization of each city is what its council

chooses. The various departments of the city are managed by the committees of the council, and, when any new project is begun, there is no occasion for an amendment of the charter, but only for the appointment of a new committee. This system of administration through committees possesses the advantage of extraordinary adaptability to cities of diverse sizes and needs. Everything, which comes before the council, is brought up in the form of a report from a committee, or is referred to a committee for consideration. The gas committee, for example, is virtually in the same position as an executive or managing committee of a gas company. There are similar committees for water supply, electricity, tramways, baths, and wash houses. In a large city each of these committees is managing an huge business, which involves a great deal of work and responsibility, and sometimes the employment of large numbers of men.

THE ELECTION OF ABLE MEN

Year in and year out, without reform spasms or civic awakenings, these cities across the water elect able men to office. The division of authority, with which we are familiar, between the council, the mayor, the departments, and commissions, does not exist. The voter only has to fill one office, that of councilman. All others are appointees of the council; the mayor, the aldermen, and everybody else in the city. All responsibility is concentrated in the council. There is no second chamber, the concurrence of which is necessary to enact an order, and there is no mayor with a veto. While he may be the chief magistrate of the city and the ceremonial head of the local government, he is not the all powerful executive, whom no one can gainsay. He serves on committees, and is chairman of some of them, and thus takes an active part in administration.

While everyone, who has made any study of the matter, is ready to acknowledge the excellence of British municipal administration, some object that we cannot expect the same result, with a similar method here, because the conditions of suffrage are so dissimilar. The limitations in Great Britain are so low no one practically is debarred from voting.

Then it is said that in Great Britain a city is considered from its business aspect, and that they are business men who look after its affairs. This is only in part true; and one reason why the city is attractive to business men is because the city itself does so many things which are taken care of here by private corporations, and therefore the same kind of men, who are found here in our public service corporations, are found there in the city councils, because they have similar duties.

MUNICIPAL REFORM PROCEEDS HALTINGLY

In the United States, because we have no definite ideals, our country being the only country without a uniform system of city government,

nothing is final. The city government at any time is simply one of a series of legislative experiments. Every little while some new scheme is brought forward to remove the admitted evils of our present complicated system; and they all finally have failed, because, in place of making the system more simple, they have added to its complications. They have failed also because they are untrue to democratic principles, in that they would limit control by the people, and impose good government, the idea of many, but which does not work in our communities, as sooner or later it breeds discontent and legislative interference. No sincere believer in a government by the people ever will tolerate any system, which unnecessarily hampers their right to control their government at every step, or the selection of their officers. We may consider their choice wise or unwise, but the right to make it is theirs, and they should have the power to use that right.

In marked contrast is the stability which prevails in Europe. Each country has worked out for itself, or has borrowed, a practicable system of organization, strong enough and elastic enough to endure the growth of population and the fast increasing list of city undertakings. In Great Britain, for nearly a century, there has been no change in the form of administration of municipalities, and the same is true of all the progressive countries of the Continent. No scheme of city government is worth while which will not develop effective and general interest among the voters themselves in the actual conduct of the affairs of their city. There is no way to train a people in government except by the practice of it.

REMOVALS OF CIVIL SERVICE EMPLOYEES¹

BY WILLIAM DUDLEY FOULKE

Richmond, Ind.

WHILE the Special Committee of the National Municipal League was engaged in elaborating The Model Charter, a proposition was submitted for a rule giving to the civil service boards (or commissions) in cities and states exclusive power over the removals of all officers and employes embraced in the competitive system. This proposition was contained in a proposed model civil service bill drafted originally by Mr. Robert Catherwood, former president of the Cook county (Ill.) commission and presented for consideration by the National

¹ In connection with this article it will be interesting to read the report of the joint committee of the National Municipal League and the National Civil Service Reform League on the selection and retention of higher public officials, to be found in the NATIONAL MUNICIPAL REVIEW, vol. I, p. 646, also Mr. Foulke's annual address as president of the National Municipal League appearing in the October, 1912, issue, p. 549.

Assembly of Civil Service Commissioners. According to this bill the commissioners themselves were no longer to be appointed by the political authority of the state or city but by competitive examinations and were to hold office indefinitely. Whenever there was a vacancy the governor was to appoint a special examining board of three persons, first, a member, secretary or chief examiner of some civil service commission; second, a man who had been engaged in selecting trained employes for positions involving professional or technical skill; and third, a judge of a court of record. This board was to hold an examination and prepare an eligible list and the governor was to appoint the person standing highest upon that list to the office of commissioner. The state civil service commission was in like manner to conduct examinations for the appointment of municipal civil service commissioners. No commissioner was to be removed except for malfeasance, neglect of duty or incompetence and only upon written charges (which might be filed by any citizen) and after an opportunity to be heard by a trial board consisting of two *nisi prius* judges and a third person selected by the two. The decision of this board was to be final. The commission was to classify the service, fix salaries and prescribe standards and tests of efficiency. It was to cause charges to be filed against delinquents. No person was to be removed except for cause upon written charges (which, however, might also be filed by any citizen or taxpayer). Such charges were to be investigated by the commission or by some trial board appointed by that body. The decision was to be final. Mr. Catherwood's proposed bill was an elaborate one containing many other details which need not be considered here.

TRIAL BOARD REMOVALS

The proposition to give a civil service commission exclusive jurisdiction over all removals by means of a trial board, was not adopted by the League in its Model Charter, but it has been and still is urged with such persistency by the *Civil Service News* of Chicago, by some members of the Chicago civil reform association and by others and it is probable that further efforts will be made to incorporate it into the competitive system. In my opinion it is fraught with such infinite disaster to this system that a record ought now to be made of the facts and the reasons showing why it should not be adopted, and this is the purpose of the present article.

According to the proposed model law the man managing a department or perhaps a whole city can *neither appoint, suspend, transfer or remove a single one of his subordinates*. He has not the slightest power over any of them except the power which every citizen has of making complaint to the commission.

What means are left to enforce his authority and command the respect and loyalty of his employes? What assurance is there that the civil service commission will co-operate with department heads in carrying

out their plans and enforcing their ideas of efficiency and loyal service? When a man whom the head of a department knows is dishonest or insubordinate is retained by the commission, what is the department head to do? He has made his charges and he has been turned down. What is his authority over his own force thereafter?

The commission is not to be elected by the people or even appointed directly by the people's representative, but chosen as the result of a competitive examination and cannot be recalled or removed by the people nor by any superior officer whatever, but only after trial by a tribunal specially organized for the purpose. The commission is therefore responsible to no one for its decisions, yet it removes or retains employes for whose conduct another is responsible.

Dayton is one of the largest cities which has adopted the manager form of government. It is governed by five city commissioners who selected an expert from another city, Henry M. Waite, to administer their municipal affairs. In answer to my inquiry as to what he thought of this proposal and after showing him the provision of the "model" law affecting removals, he wrote: "Discipline could not be maintained. Your civil service board had better operate, your results would be more likely to attain success than under the proposed idea. I cannot see how any person who desired success could afford to attempt to operate under such a rule. Certainly I would not."

SUCH REMOVALS A CHECKMATE TO PROGRESS

If a deliberate effort were made to checkmate the present course of municipal progress in securing business management for cities it could not be done more effectually than by securing the passage of a law taking from the expert managing officers all power to control their subordinates.

The leaders of the movement for civil service reform have expressed the conviction that the power of the responsible superior officer to remove his subordinates ought not to be taken away. Over and over again did George William Curtis declare this principle. In his address before the American Social Science Association, September 8, 1881, and again in his address to the fifth annual meeting of the National Civil Service Reform League, August 4, 1886, he said: "Removal for cause, if the cause were to be decided by *any authority but that of the superior officer*, instead of improving, would swiftly and enormously enhance the cost and ruin the efficiency of the public service by destroying subordination and making every lazy officer or clerk twice as lazy and incompetent as before."

Carl Schurz, in his discussion before that league at its Newport meeting in 1886, said: "I would leave to the appointing officer the entire discretion of removing subordinates, but I would oblige him in all cases to state

the reasons. The reasons would fall under either misconduct or inefficiency."

Dorman B. Eaton thought that the league's condemnation of removals should be limited to removals for partisan reasons or for the purpose of making place for another, and accordingly the resolution of the league so provided.²

Two years later the league expressed officially in its formal resolutions, without dissent, the following principle³: "An office holding class and a permanent tenure are practically impossible *so long as the power of removal remains unimpaired.*"

In 1896, its resolutions declared "the league fully recognizes the importance of *preserving to responsible superior officers the power of removal of their subordinates* whenever in their judgment this power should be exercised in the public interest."⁴

LIFE TENURE

What is a life tenure? It is not that the official or employe is absolutely irremovable. Federal judges are not irremovable, yet they have a life tenure. The essence of it is that they cannot be removed by the executive or by any superior officer, but only after trial by some independent body and that they are therefore themselves independent. This would be true of employes in the civil service if the proposed law were enacted.

It is asked, "Why are you unwilling to take away the power of removals from heads of departments and yet insist that the power of appointment shall be taken away by competitive examinations? The answer is that the latter is necessary to protect the service against political appointments, while discipline can be maintained, no matter who makes the appointments, only so long as the power of removal remains unimpaired.

It is said the lack of permanency of tenure will discourage the best men from competing. Has it discouraged them? Are we not getting all over the country, men of higher and ever higher qualifications, who are quite satisfied with the same kind of permanency which exists in private corporations, where every applicant knows that his tenure depends on giving satisfaction to his employer?

CLAIMS FOR THE PROPOSED SYSTEM

The argument in support of vesting the exclusive power of removal in the civil service commission as urged by the advocates of this system were these: I. It follows the system adopted in our great industrial

² Proceedings, 1886, p. 32.

³ 1888, p. 32.

⁴ Proceedings, p. 41.

organizations. II. It is approved by our most eminent publicists and civil service reformers. III. It is necessary to protect the service against the evils of a trial in court and it avoids expensive and dilatory legal procedure. IV. It has been justified by twenty years of satisfactory experience in Chicago and Cook county and by a number of years of successful experience in the state service in Illinois.

I. As to the first claim we were referred to the great railways of the country, to Marshall Field and Company and to the International Harvester Company.

PRACTICE IN INDUSTRIAL ENTERPRISES

As to the railways, the secretary of the National Civil Service Reform League wrote to the superintendent of nine of the principal systems,⁶ and found that in every case but one (the Pullman Company) the managing officer had the final authority; and I found that in that company also the action of the central employing agency could be overruled and set aside by the executive and general officers of the company.

In answer to an inquiry addressed to the president of Marshall Field & Company I received the following: "Our practice in most cases is to place the power of removal with the *departmental managers*, the executive staff, however, having knowledge of such removals and the causes leading up to them. If a departmental head is to be held responsible for the efficiency of his organization he should have control within certain limits of the personnel of his staff and without the power of removal he could not assume such responsibilities successfully."

I enquired of George W. Perkins in regard to the International Harvester Company, and learned from him that the ultimate right to remove subordinates remained in the operating officers; that they could not conduct their business in any other way. He considered removals by an independent employment agency impracticable.

After all the instances of business management cited had shown exactly the reverse of what was claimed, another case was brought up, that of Wm. Filene Sons' Company in which it was urged that something resembling the proposed law was adopted.

It appears that this company put the decision as to all dismissals in the hands of an arbitration committee appointed by its employes, who might by a two-thirds vote reinstate any man dismissed. But at the close of the instructions given by the directors on November 1, 1912, authorizing this committee, was the following significant paragraph: "The above instructions are subject to amendment, alteration or repeal by the board of directors."

⁶ Chicago, Milwaukee and St. Paul; Chicago, Burlington & Quincy; Lehigh Valley, New Haven; Baltimore & Ohio; Southern Pacific; Delaware, Lackawanna and Western; Delaware & Hudson, and the Pullman Company.

The Filene Company also allowed its employes four members in a directorate of eleven. Still the ultimate power remained in the directors who represented the stockholders. Four directors cannot outvote seven and if any obnoxious employe should be reinstated by the arbitration board a complete remedy was held in reserve, the directors could amend or repeal the instructions and abolish the arbitration committee.

The proposed model law was entirely different. The civil service commissioner was to be appointed, not by employes but by an independent mechanical device,—a competitive examination—and could be removed only by another independent tribunal. Neither the governor of the state nor the mayor, manager, nor council of any city would have the reserve power so necessary to discipline nor could the action of the commission be controlled if it were to do the thing which would destroy all subordination in the service. If the Filene Company had established a rule that they would reinstate any man whom some independent officer decided should be restored and if they had taken away from their own directors all right to repeal or amend the power thus conferred upon this independent tribunal the analogy would be closer.

THE DISCIPLINE IN THE MILITARY AND NAVAL SERVICES

It is said that this proposed model law is in line with the discipline in the military and naval service, that an officer cannot dismiss a soldier or sailor but must bring the case to the hearing of a court martial. Yet the finding of a court martial is always subject to the approval of a commanding officer. The ultimate authority rests with the executive official. Whatever the form, that is the vital principle. It is the reserve power to make the final decision which is necessary to maintain proper discipline and subordination.

OPINIONS OF PUBLICISTS

II. It was claimed that this removal plan was approved by our most eminent publicists and civil service reformers. On the contrary their opinions were the other way. The declarations of George William Curtis, Carl Schurz and Dorman B. Eaton have already been given. President Lowell of Harvard was referred to. He wrote me: "In section 48 of the Model City Charter we agreed that officers might be removed by the city manager or head of the department and I do not believe that an administration could be made to work well otherwise."

Charles J. Bonaparte, who had been chairman of the Council of the National Civil Service Reform League, wrote me November 16, 1915, "I am inflexibly opposed to anything amounting to a trial for a subordinate removed or disciplined by a superior unless the latter thinks something of the kind is needed to guide his own judgment."

The two men in America who have had the widest experience in the

federal service, Colonel Roosevelt and Professor Taft, are utterly opposed to this measure. Mr. Taft wrote, "I am very much opposed to any civil service law which takes from the managing and operating officers the power of dismissing subordinates and gives it to an independent body." Mr. Roosevelt wrote, "I regard the proposed law as seeking to establish a condition much worse than the spoils system. If the proposal or any proposal resembling it is adopted, I shall resign and shall state that nothing proposed by Tammany during my lifetime has begun to approach in mischief this proposal. . . . Proposals such as this tend hopelessly to discredit the cause of civil service reform among sensible people and nothing more mischievous could be imagined."

Seth Low, former mayor of Brooklyn and afterwards of Greater New York wrote, "I am unreservedly in sympathy with the objections you make to the proposed section of the model law which would transfer the question of the removal of employees in the public service from the responsible officials to a civil service commissioner or commissioners. No man who understands the first principles of sound administration would be willing to accept responsibility under such a system. Nothing can do the system as a whole so much injury as to have its friends stand for such a proposal."

General Winkler, the venerable president of the Wisconsin civil service reform association, wrote, "If the League adopts the model law as its platform, I was going to say I should cease to be a civil service reformer, but I will only say that the very little I shall be able to do will be on the outside of its folds."

(To be concluded in July issue.)

BACK OF THE MAN AT THE FRONT¹

BY RICHARD H. DANA

Boston

THE sudden creation of 200,000 "government jobs" presents certain temptations to those in high places who have political or personal friends hungry for a place at the public trough. A similar kind of emergency, though much smaller, arose in 1898, and one reason why that war was fought so wastefully and so scandalously was that the emergency was made the excuse for placing incompetent political favorites in important positions in the departments of the Treasury, War and Navy and especially disastrous was it in the divisions of ordnance, commissary, and surgeon-general. As a result, we had the scandals of embalmed food, misfit ammunition, and the great amount of disease and unnecessary suffering. For example, let us take the instance of typhoid fever. The

¹Paper read by Richard H. Dana, president of the National Civil Service Reform League, before the National Municipal League, Friday, November 23, 1917.

per cent of cases and deaths from typhoid fever during the continuance of the Spanish War and one month after, during all of which the sources of that epidemic were understood by the medical profession, was greater than in the corresponding months of the Civil War when so little was known of typhoid prevention.

CIVIL SERVICE EXEMPTIONS IN 1898

The chief excuse given for exempting large numbers of positions from the civil service law in 1898 was the necessity for haste in making the appointments. As a matter of fact it took far longer to make the appointments under the spoils system than under the civil service laws. For example, the clerkships exempted in the War Department were distributed to members of Congress as patronage—so many to each representative and so many to each senator. There followed a long correspondence and many interviews and 1,200 persons had to be tried out before 600 were finally selected to do the work, and those 600 were later officially reported as inferior to those sent by the civil service commission. As to speed, the civil service commission has supplied as many as 300 tested employes in a single day, all of whom proved satisfactory so that in this race for swiftness civil service has beaten spoils out of sight. In Canada at the beginning of the present war, we are informed, they suspended the civil service act hoping to get quicker and better results. Their experience is a warning. Not only did they get poorer men and take more time, but it was found that some of those who got into the service were disloyal and even spies. Under the civil service system, with the 3,000 examiners in the employ of the United States Civil Service Commission scattered all over the country, it is very easy to find out a man's local reputation not only for character and ability but for patriotism.

In the present emergency here, however, things have happily been somewhat different from 1898, or in Canada. There have no doubt been instances that recall 1898, but for the most part the emergency employes of the government have been selected by the United States Civil Service Commission after proper examination and investigation into their ability and loyalty. And the results show that, thanks to this system, we are doing a big job better to-day even allowing for delays, than we did a little job in 1898.

Now if our army is raised speedily, well armed and well equipped; if ships are found to carry our men and their equipment to France; if every fighting man in his trench finds that he has the organized resources of the American government behind him, it will be largely because we have at home here, in our various government war organizations, a force of trained men who do their work skilfully and thoroughly.

Before a soldier can get a rifle or a ration, twenty or a hundred civil employes have got to function. It involves raising money, making con-

tracts, inspecting goods, securing transportation; it involves bookkeeping, drawing specifications, checking, inspection, correspondence. The failure of one link makes the chain worthless.

It would therefore not only be national short-sightedness to place untrained men at the desks where these matters are done; it would be a crime against the men we are sending to France. We have no right to ask a man to drill and fight unless we are ready to stand behind him loyally and effectively. His life depends on the skill of those behind the line who tell him what to do and are charged with supplying him the material with which to do it.

UNASSEMBLED INVESTIGATION OF CAREERS

Among the persons required for the extra civil service during the war are many experts, specialists, and professional men. The so-called "unassembled investigation of careers," which is a part of the civil service system, has come into unusually active play. As so few even of those who favor the merit system understand this, let me say in a word that for a number of years many hundreds of positions in federal, state, and municipal service requiring executive and organizing ability as well as special education and training, with salaries all the way up to \$10,000 a year, have been filled by this method. It means an investigation into past education, training, achievements of life and all cases of employment with salaries received based upon the statements of the candidate and of those for whom he has worked; published pamphlets and books, plans and blue prints are annexed as exhibits and for important managerial positions a thesis on how best to conduct the bureau is required. On all this evidence, the candidates, without leaving their homes, are graded by persons of their own calling, acting as special examiners.

This is vastly different from the common idea of a high-school-examination-kind of civil service reform. Its results have been most encouraging. Professional men are not kept away. They prefer to enter the service in this manner than through letters of recommendation, pull and personal appeals, while the greater stability of positions under the civil service and the increased freedom from political intrigue and pressure, make positions, filled in this way, more attractive to the high-minded experts whom we need to secure.

During the war a certain amount of unnecessary red tape has been cut without in any way injuring the merit system. For example, the apportionment rule has been suspended so that better persons can be secured more promptly than by sending for an eligible with less ability from some far western state that happens to be behind in its quota. And again, especially in the case of experts and professional men, where the demand is greater than the supply, instead of waiting to establish an eligible list, as soon as the candidate has shown the necessary qualifica-

tions he is immediately appointed, and the investigations are practically continuous.

RECRUITING SPECIALS AND EXPERTS

The difficulty of recruiting specialists and experts has been very great. They have not applied in sufficient numbers to the ordinary advertisements and official bulletins of the departments and of the civil service commission, and the National Civil Service Reform League, at the special request of the Civil Service Commission and of the Ordnance Department, has, through special articles in the press, through soliciting employers personally to sacrifice some of their subordinates during the war, and through the aid of educational institutions, been able to supply many of the government's needs. The League has practically turned its New York office for the time being into a civil recruiting bureau. Fortunately the National Civil Service Reform League had raised about \$30,000 a year for increasing its activities before our country had entered into the war. This fund has enabled it to do these things, and it is raising still more money to extend this recruiting work in other parts of the country to fill the gaps.

We don't know how long the war will last, but we do know from the measures that already have been taken that this country is not going to escape without feeling the pinch. Already enormous sacrifices have been demanded of the American people. They are asked to pay billions in taxes and loans; they are asked to deny themselves luxuries, and to economize on necessities; and they do it gladly. But they have a right to demand in return that their money shall be spent properly. They have a right to demand that the treasury shall not be used to pay political debts; and this they do demand.

There is a general impression prevalent throughout the country that the "spoils system" has been abolished, and that talk about civil service reform is therefore largely academic. Nothing could be more untrue and more unfortunate. A time like the present, a national emergency, is the favorite moment for the spoils-hunters. They take advantage of the fact that the public is too much occupied with the war to keep watch on its doors and windows, just as the favorite time for sneak-thieves is during the annual police parade.

SPOILS BILLS

There have been several "spoils" bills introduced in the present Congress, one of them at the request of the Secretary of the Treasury, and it has required ceaseless vigilance to defeat these bills. Besides this, some of the state legislatures in the ten states, where alone there are civil service laws, have been kicking over the traces, and *they* have had to be held in line. In spite of everything, there have been some runaways, and there will be more unless the people are on the alert.

Our immediate task is to win this war, and to do it in the shortest possible time. For that purpose we need all the people, all pulling in the same direction. We need national efficiency and state efficiency, and we can realize this only by having trained and fit men in every public office.

As to the effect of the war on a trained public service, so far the war has not broken down the merit system. The National Civil Service Reform League secured larger appropriations for the Civil Service Commission to do its work, interviewed congressmen, cabinet ministers, and leading members of the advisory commission of the National Council of Defense, and has had articles in the press especially in Washington and New York in favor of a highly trained public service. Altogether the general sentiment now prevailing in Washington is in favor of the principles of the League.

The very appreciation of the need of trained officers in the army has had its indirect effect upon the need of trained experts in the civil service that backs up that army, and when the war is over I feel confident that the effect on the trained public service will be to increase the demand for abolishing political influence in appointments, securing experts in all purely administrative and operating departments, and to have politics confined to the purely policy-determining part of our government, national, state, county, and municipal. If this effect is produced, we can then appoint to the ultimate triumph of democracy, namely, a democracy, strong and efficient.

“WILL THE CITY-MANAGER FORM OF GOVERNMENT FIT ALL CITIES:— LARGE CITIES,—MACHINE-CONTROLLED CITIES?”¹

BY GAYLORD C. CUMMIN,

City Manager, Grand Rapids, Mich., and President, City Managers' Association

THE discussion of the question was opened by Richard S. Childs, who answered the question in the affirmative, basing his statement on the ground that the size or condition of the city in question simply called for different detailed organization, but did not affect the general principles upon which the city-manager plan is based. He called attention to the city manager charter proposed for Chicago, with a commission of thirty-five elected from wards, a variation from the plan as usually regarded, and specifically allowed by the model charter of the National Municipal League.

¹ Being an epitome of the luncheon discussion at the Detroit meeting of the National Municipal League, November, 1917.

"The plan has that much flexibility. It doesn't matter seriously just how you create your commission, or how you adapt it to the size and the character and the geographical disposition of the community." This quotation brings out an important point which is often overlooked by those studying the commission-manager plan, and time and energy are consumed in fighting about some definite plan of creating the commission, because people are inclined to believe that the selection of a small commission at large is essential to the city-manager plan, whereas, it is merely a desirable feature of any plan.

Attention is also called to the fact that the same basic theories of organization used by corporations apply equally well "whether it is a corporation to run a peanut stand, or a corporation to run the United States steel industry." That the state lays out in skeleton form the organization that all corporations under its laws must follow, "a form of organization that provides for the election by the stockholders of a board of directors, who, in turn, appoint the other officers of the company. The reason that the state lays out a skeleton form is because it knows that that form is the one which most clearly defines responsibility for what is done, be it good or bad."

"Complexity is the refuge of the scoundrel, and, simplicity is the thing he has reason to be afraid of."

The city-manager plan "as the simplest form of government, furnishes . . . the ideal battle ground for the forces of good government in any community, no matter what the present state."

KEEPING IN CLOSE TOUCH

The present writer, agreeing wholly with Mr. Childs, tried to make the point that the city-manager plan was even more desirable in a large city than in a small one, because as the complexity of functions and administration must necessarily be greater in large cities, it becomes increasingly important to simplify and co-ordinate the form of that organization as much as possible. It has been urged that we do not know the details of the administrative machinery necessary to keep the executive of a large city in close touch with what is transpiring throughout his organization, but that is, in the writer's opinion, a matter of detail that can and will be worked out when the definite problem presents itself. It has been done in large private corporations, and can unquestionably be done in public ones.

Results will be slower in the large city because of the size and increased complexity of the problem. One could reorganize a corner grocery in a week, but one couldn't reorganize the Pennsylvania Railroad in the same length of time.

CHECKS AND BALANCES

In regard to the application of the city-manager plan to machine-ridden cities, we are brought to the question as to whether or no the time-honored system of checks and balances gives protection against dishonest and inefficient government. It certainly does not prevent dishonesty, and as certainly does prevent efficiency. Due to the fixing of responsibility, we will get better results with a machine-managed city-manager plan than with the present divided responsibility. Our experience in common life is that fixed responsibility is the best way to get honest and efficient service.

One of the most interesting addresses was made by George B. Harris, chairman of the Republican county committee of Cuyahoga county, Cleveland, Ohio, who, after prefacing his remarks by stating that he did not know exactly what the city-manager plan was, proceeded to give his objections to it as a satisfactory form of government. The points made by him proved rather conclusively that his prefatory statement was correct, and are points brought up many times by opponents of the plan.

Mr. Harris made the statement that the people do not want a "business kind of government," that this has been proven by their refusal to support that kind, that all our governments, municipal, state and national, are notably extravagant and inefficient, and that this is the penalty that democracy pays for freedom.

Mr. Harris has fallen into a very common pitfall by confusing the efficiency that is urged by advocates of the city-manager plan with an entirely different kind. The efficiency to be secured by this plan is administrative efficiency. The city-manager plan interferes in no way with the people getting just what they want. The commission are the people's direct representatives, and they lay down those policies which the people desire. Under any form, the policies are made by the legislative body. The efficiency aimed at is efficiency in carrying out these policies inaugurated by the people's representatives. The writer differs most decidedly with the idea that the people do not want their policies and ideas carried out with the minimum of expenditure, and the maximum of result. That is all that we mean by efficiency.

If the writer felt that extravagance and inefficiency are the penalties that democracy pays for freedom, he would indeed despair of democracy, especially at this crisis in the world's affairs, but he believes democracy can and will be efficient, and as efficient as any autocracy that ever was. Whenever a democracy is faced by a real emergency, it rises to the situation, and after many mistakes and false steps, at last brings results that transcend those secured by autocracy. Does Mr. Harris believe that in the long run better and more efficient results can be obtained by slaves than by free men? All history says no. Efficiency in a democracy comes by agreement and understanding, and not by fiat.

BUSINESS GOVERNMENT

Mr. Harris somewhat softens his statement by stating that eventual education of the electorate may develop the desire for a "business government," and eventually the city-manager plan may become what the people want. If he will keep in touch with the statement of those really familiar with the plan, he will discover that they urge that no community accept the plan unless its people are thoroughly convinced that it is the best form of government for their conditions. In other words, democracy may become efficient through education, in which we seem to agree.

Mr. Harris claims that the plan in Dayton is not democratic, and the city commission not representative. While not agreeing in the premise, it would certainly appear that this would be very peculiar if true, as the city commission of Dayton has been sustained by the voters three different times, and if it is not representative or democratic, it would occur to the writer that it would be the people of Dayton, and not the city-manager plan, which was at fault. This plan does not contemplate the urging of the people of any community to elect a legislative body which is representative in the opinion of students from other cities, but leaves it to the judgment of the community's own voters.

Mr. Harris then makes the point that politics cannot be eliminated from city government by the city-manager plan. This is probably true in the sense meant by him, and would be in many respects objectionable. All that the city-manager plan hopes for along this line is the elimination of national party politics from city affairs, and the elimination of all kinds of politics from the administrative branch. It is admitted that city politics should exist in the legislative branch, but should not be tied to national politics. Also it is realized that this cannot be done at once, that when the people feel strongly enough on this point it will be accomplished, and not before, and the plan merely gives a vehicle for such results, and whatever the theory may be, the results are being obtained.

Mr. Harris refers to the Cleveland plan as the ideal, with an elected mayor as administrative head, but as this is simply a city-manager plan decentralized one step, and administered by a representative instead of a trained man, it is plainly a very distinctive step on the road to what our experience in other lines points out as the best, and simply means that his community is not educated to the best, but must accept a compromise.

MR. CARR'S VIEWS

The next speaker, Ossian E. Carr, city manager of Niagara Falls, pointed out that the same general troubles faced the city manager in both large and small cities, but that the man in the smaller city has the more difficult position because he has no one to whom he may delegate minor troubles, and in a sense stands alone in his community. The city-manager plan makes for simplicity. It eliminates expensive boards working in-

dependently and often at cross purposes. A large part of the success of this form is due to the fact that the city manager has no other interests and can know far more about the real needs of the city than can any group of a dozen or fifteen men who are working on private enterprises all the time, except about one hour per week spent on the city's affairs.

Mr. Carr also points out that there are over a hundred city-manager plan cities, all operated somewhat differently in detail, but being alike in having a small legislative body and an appointed manager, and that one of the statements made by Mr. Harris in claiming that the commission would interfere in administrative affairs, was a tendency which had already caused trouble. The new charter of Norfolk, Va., attempts to handle this by providing that any commissioner who attempts to interfere in the administrative affairs of the city, automatically eliminates himself from the commission.

"The large city, the small city, the machine-controlled city, are going to cast about for the means to make the most of their citizenship, simply because, greedy or gainful, we are all at heart Americans; we know that waste in any form is becoming a most welcome contribution to our enemies. The best known guard that we have against waste in our city is the city-manager plan."

MR. WAITE'S VIEWS

City Manager Henry M. Waite, of Dayton, Ohio, took up the point made by Mr. Harris, that if reform government did not take the electorate into consideration, they would not succeed. In agreeing with this he pointed out that the City Managers' Association has always emphasized the point that no community should ever attempt a government that could not be supported by its constituency. Mr. Harris, in pointing to the defeat of Mayor Mitchel in New York as proof that the people did not wish efficient government, if the analogy were completed, would prove that the Cleveland government was not efficient because it had been successful. He says that he will prophecy that if Cleveland's government, which is a long step in the direction of the city-manager plan, proves the success claimed by Mr. Harris, it will be but a very short time, and a short step, before they go the whole distance and accept the city-manager plan.

"The commission-manager plan does not cover all evils, and no plan will, and a government must not, get ahead of its people. If you can't keep an interested public behind your government, it is doomed to failure."

William E. Boynton, city commissioner of Ashtabula, Ohio, elected by proportional representation, made a plea for the advantage of proportional representation for electing commissioners in a city under the city-manager plan, and gave a most interesting account of the developments in his city, and the results accomplished, which showed the inherent stability of the

city-manager plan under this most interesting experiment in representative government.

George W. Knox, commissioner at Niagara Falls, contributed a most interesting letter, making the point that the city-manager plan would be a most dangerous tool in the hands of a political machine, if the people of the community had no more public spirit than to prevent such a state of affairs, and that the success of this form depends upon a wide awake interested electorate. This is, of course, absolutely true, and it has been pointed out time and again that there is no royal road to good government, and its advocates must be prepared to fight for it, or they will have bad government under any plan.

THE ORGANIZATION OF A MUNICIPAL HEALTH DEPARTMENT¹

BY M. N. BAKER²

New York City

IF YOU are going in for an old-fashioned scheme with a mayor and a city council, with more or less overlapping powers, and a whole bunch of boards and commissions, each pretty much independent of the other and of the mayor and council as well, than I should suggest that you have a board of health of five members appointed by the mayor and not subject to confirmation by the city council or anybody else. I would suggest that such a board be given absolute powers within its field, except as regards expenditures. Possibly it might be provided that the board of health should be given some stated sum per capita per year for health purposes, but even this would seem to be questionable. In any event, the board, in common with all other city departments, should be rigidly required to submit a true budget every year which would comprise an estimate of its needs for the ensuing year alongside its actual appropriation for the current year and its actual expenditures for three to five previous years, all these to be itemized in accordance with a classification which would show the relation of the expenditures to the objects to be achieved. That is, the classification should be functional and should be most carefully designed to show what of the expenditures really had a relation to public health and what had not. I really do not think that such matters should be gone into in a city charter for each department, but that they should be covered in a general way for every department of the city.

¹ In response to an inquiry by the secretary of the Akron charter commission, Mr. Baker wrote a letter which so concisely stated the situation that the editor believes it would be of help to others interested in charter revision, and so it is reproduced herewith.

² Associate editor, *Engineering News-Record*; chairman, executive committee, National Municipal League.

If in place of the old and haphazard scheme of city government you adopt the commission plan, then perforce the health work of the city must fall into some one of the various five so-called departments, so that the really responsible head will have health to look after in common with a lot of other things.

If you adopt the commission-manager plan, then you would simply have a single-headed health department under a man named health officer, presumably, though the name does not particularly matter, except to bring it in line with common practice, which is to use the term health officer.

Under the old commission plan, of course, all health ordinances would be enacted by the commission. The same would also be true under the commission-manager plan. If you had the old mixed system of government, with council, mayor and various boards, then, as I think it must be clear from what I have already written under that head, the board of health, and not the city council, should have all legislative power.

There must be a health officer or some equivalent under any of the three plans that I have mentioned. These should in any case be vested with absolutely all executive powers—except, of course, that this is impracticable or out of harmony with the straight commission plan and should not be attempted under that plan.

Whatever you do, I sincerely hope you will limit the health department to strictly health protective work. That is, do not load it up with plumbing, street cleaning, garbage disposal, and a variety of other things that have little or no direct relation to the public health. Plumbing should go to the building department. The other things mentioned should be in the engineering department.

You raise a question regarding housing. This is so largely an economic matter, with various ramifications, that unless your conditions are exceptional, I should strongly advise keeping it entirely outside the health department. A health bureau and a housing bureau might both come within a larger department. This would naturally follow under the straight commission plan, and of course might be practised under either of the two.

If your charter finally provides for a board of health, by all means do not make it compulsory to have the board composed entirely of physicians or of any other professional or industrial class. The ideal board of five members might well be composed of two physicians, one sanitary engineer (or, if a sanitary engineer is not available, then of a sanitary chemist or sanitary biologist if either of those could be got), one lawyer and one business man. I do not feel sure that any such specification should be laid down in the city charter, especially one for a city no larger than Akron.

It is very important that the charter should not restrict the choice of a

health officer to the medical profession and that it should distinctly provide (although that should be covered in some general provision relating to all executive officials) that non-residents may be engaged. The charter should provide that the health officer should be chosen with a view to getting a man whose education and training fit him for his work. It might say that the health officer must be a physician, a sanitary engineer or some other professional man whose education and experience particularly fit him for the position.

If Akron were a larger city, I might advise that the charter should be so framed that the health officer should be chosen primarily for his executive ability, but in a place no larger than yours the health officer will doubtless have to do things himself which will require specific training for his immediate tasks; that is, he will not be able to pick out specialists who will bring their special knowledge and training to merely carry out the policies decided by the health officer.

If you should decide upon the straight commission plan of government, then you will be up against it so far as any assurance that the department head under whom health matters fall will have any fitness whatever for his work in that field—or, as far as that goes, in any field requiring technical knowledge. Saying this is equivalent to saying that I hope you will not adopt the straight commission plan. That plan means electing executive officers and that in turn means failure of municipal government sooner or later—in spots if not all over.

I do not see how I can advantageously refer you to any literature that will help you very much in this matter, unless you or somebody for you is going to devote two or three years' time to making a study of all the branches of municipal government; or unless you are going to single out the health features of the charter for more particular study than is given to the others.

You doubtless have or will get six or ten of the best books dealing with municipal government and municipal charters in general. This I should think would be as far as you would be able to go. I could make up a list for you, but doubtless that is quite unnecessary as very likely you already have the books in hand or have taken steps to get them.

Permit me to suggest that, if you have not already done so, you talk over this whole matter with Mr. H. S. Morse, your new director of public service. As you doubtless know, he was connected with the bureau of municipal research at Cincinnati and with the bureau of governmental research at Detroit, and before that had practical experience in the engineering department of the city of Cincinnati.

MUNICIPAL RESPONSIBILITY FOR THE PURVEYING OF FOODS.

BY EMERSON P. HARRIS¹

Montclair, N. J.

IS IT not time that municipal responsibility should be recognized and assumed for the proper distribution of food supplies to the people at proper prices? When the subject is examined more than superficially, it will be seen that there are about the same reasons why the city should supervise the supplying of foods that there are for assuming control over public utilities. And these reasons apply in as much greater measure as the cost of foods is greater than the cost to the citizens of public utilities.

We have always taken for granted that competition would insure to the consumer good *q. d.*, satisfactory service and equitable prices. We now see that this is not so. Perhaps the most conspicuous admission that competition absolutely fails when it comes to protecting the consumer, is afforded by the attitude of the U. S. food administration when it humbly begs of the dealer, or arbitrarily orders him to deal fairly with the consumer. It is assumed all the time that competition does not insure this.

The Harvard Graduate School of Business Research finds some retail grocers selling goods at a profit as low as 14 per cent. and others charging 28 per cent. It is quite probable that the large "public markets" like those at Providence, Lynn, Worcester and Brockton, buying practically all their goods of producers, thus doing their own wholesaling, and selling for a total profit of around 16 per cent. get goods from producer to consumer at one-half what the average consumer pays for such services.

Is it not a pertinent question for the city father to ask whether the citizens of his town are paying for purveying, double what the work could be done for? When we look around and see that there are many times as many stores as there should be, each with its own fixed charges to be paid by the consumer, we see that this is essentially a local question.

How many useless delivery wagons, milk wagons, ice wagons, each going over the same route, pass your house? Competition, here far from protecting, heavily burdens the consumer. Competition works crudely and in this case ineffectively.

But competition would be a very efficient thing if the number of distributive agencies were to be limited to the real needs of the town, and these operated by those who would bid to do the work best and at the lowest price. What if the municipality were to build one or more really

¹ Author of "Co-operation, the Hope of the Consumer." Macmillan.

modern stores for the distribution of all food materials and lease it to a responsible party, or co-operative society which would guarantee best goods and service and lowest prices? It would mean cleaner, safer food, fresher, more sanitary, and better goods, and a cash saving to consumers of enough to go far toward paying their municipal taxes.

Dr. Williams, of Rochester, N. Y., has discovered that the distribution of milk in that city costs in travel, and labor cost, more than double what it should. Why should not the distribution of milk for all producers be taken over by a single distributing company, or by the city itself? It would probably mean a saving of at least 10 per cent in the cost of milk at no sacrifice or inconvenience whatever to anyone.²

How many ice trucks, with their heavy melting load, pass through and serve people on a single block? Undoubtedly if the city were served by a single company—or districted, if a large town—the people could be saved one fifth or more on the cost of ice.

These things must be done sooner or later. Why not now while real economy is under discussion and is sorely needed?

THE NEW NATIONAL PARTY

BY JOHN SPARGO

New York City.

THE newly formed National Party, the result of a coalition of various social and political reform groups, presents a platform which is in some ways unique and possesses many features of interest to the student of political affairs.

In the first place, the platform is wholly constructive: it is affirmative throughout. There is not a single word of protest, of denunciation or destructive criticism. This is quite unusual in political party platforms, and especially in the platforms of radical minor parties.

The arrangement of the platform is also unique. It is perhaps the most scientifically constructed document ever issued as a platform by an American political party. It is divided into three parts, each of which is logically dependent upon the other. A brief preamble states "Our aim is the attainment of democracy in government, and in industry, and in our international relations." In conformity with this aim, part one of the platform is given up to measures necessary for the realization of political democracy; part two to measures designed to democratize industry:

² The results of the work of Dr. John R. Williams, secretary of the milk commission of the medical society of the county of Monroe, Rochester, N. Y., have been published in pamphlet form under the title of "The Economic Problems of Milk Distribution in Their Relation to the Public Health." This abundantly illustrates and demonstrates, if further demonstration were needed, the necessity for a reorganization of the distribution of milk in our cities.

and part three to the heretofore almost neglected field of democracy in international relations.

DEMOCRACY IN GOVERNMENT

Under the first of these divisions we find the usual demand for woman suffrage together with some other suffrage reforms not heretofore regarded as good material for political platform building. There is a strong plank demanding the "enforcement of the laws which give the right to vote to American citizens of negro descent." This demand is accompanied by a further demand that there be a special effort made to fit negroes and others to vote intelligently by means of federal aid to common school education, to the end that illiteracy may be abolished. Another demand is for the "restoration of self-government to the District of Columbia, and of the electoral franchise to its citizens, male and female." Finally, under the head of suffrage there is a demand for "the abolition of all property qualifications for the franchise or for election to public office."

The new party stands for the initiative, referendum and recall, "with adequate safeguards against their abuse." For state and municipal elections it favors the short ballot and a greatly increased centralization of responsibility, "this to be coupled with the right to recall elected officials as a safeguard against possible abuse of power." It advocates proportional representation in all departments of government.

There is a strong plank favoring the executive budget in municipal, state and national governments. This reform has not before been regarded as of sufficient importance to be included in a political party platform, but the platform of the National Party clearly indicates that careful and serious students of our municipal problems had a hand in the making of it.

Other political reforms of interest and far-reaching importance advocated are the amendment of our election laws in such a manner as will make it possible for qualified voters, absent from their homes, to vote by affidavit, wherever they may be, and the establishment of cabinet responsibility. This latter reform means that the members of the President's cabinet are to have seats in Congress, but without votes, and be subject to direct interrogation by the members of congress. By this method it is hoped to make the government departments immediately responsible to the elected representatives of the people.

INDUSTRIAL DEMOCRACY

Under the head of industrial democracy the following planks are of special interest to students of municipal problems:

Public Ownership. Public ownership, operation and democratic control of steam and electric railroads, shipping, telegraph and telephone systems, coal and metal mines, water-power, natural gas and oil wells, light

and power plants, timber lands, terminal warehouses and elevators, packing plants and flour mills, and all other public utilities and basic industries which depend on franchises, or require large scale operation on a non-competitive or centralized basis.

Municipal Ownership. Municipal ownership, operation and democratic control of all public utilities, and all services essentially monopolistic in nature.

Democratic Taxation. (a) The gradual and progressive transfer of taxes from improvements and all products of labor to land values, so as to break up land monopoly and to increase opportunities for production. (b) Rapidly progressive taxation of incomes and inheritances, with heavier rates on incomes from investments than from personal services.

The platform makes a strong appeal to farmers and wage-earners. The agrarian program is substantially that of the farmers' Non-Partisan League, and the labor program is substantially that of the American Federation of Labor. The new features are planks in each of these sections of the platform demanding direct governmental assistance to co-operative producing and trading associations. The theory is that the government should give direct assistance to farmers' co-operatives as a means of stimulating agricultural production and stabilizing the industry, and to the co-operative producing and trading associations established by working people throughout the nation, "to the end that the workers of the nation may be increasingly enabled to control the economic conditions of their own lives."

The new party is seeking to build up a large membership of people who agree to pay an annual membership fee of one dollar or more. It has already provided for five separate divisional headquarters in as many sections of the country, and proposes to carry on an aggressive agitation and to participate in the forthcoming congressional elections.

MUNICIPAL FARMING—THE LATEST ENTERPRISE OF BRITISH LOCAL AUTHORITIES

BY JOHN CABBURN¹

London, England

IN CONSEQUENCE of the submarine menace, the municipalities of England have had placed upon them responsibility for ensuring the adequate cultivation of the land, a departure which they never expected would be thrust upon them. However, since the war they have become so accustomed to doing those things which municipalities never expected to have to do that they have settled down as agriculturalists almost as a matter of course.

As is known, agriculture in England has for generations been allowed to go under and consequently the acreage of grass lands is tremendous. Now it is imperative that grass land shall be put under cultivation and it is for the municipal authorities to see that this is done.

They have commenced, but they were too late to do much this year and so the great municipal agricultural scheme will be in operation next year (in 1918) when the government expects the authorities to see that three millions of grass lands are put under cultivation.

Some of the farmers are anxious enough to get the land to yield as much food as possible, but individual farmers are unable to do much and that is why the Government has thrown the burden on the municipal authorities. For example, few farmers are able to invest in machinery for the cultivation of these grass lands. The government has bought motor tractors which are placed at the disposal of the county authorities who, by arrangement with farmers and land owners, plough the land. Numbers of these motor ploughs are at work but there are huge quantities to be provided and next year great things will be accomplished.

The authorities send the government schedules of their requirements in the way of farming implements and these are supplied when the implements and machinery are available. Next year, therefore, England will once more be an agricultural country for every acre will, with municipal assistance and surveillance, be under cultivation.

The powers of local authorities are immense. The main idea is to get food out of the land and in this connection they are empowered, whenever necessary, to render assistance in every possible way, even to the extent of arranging for financial assistance to farmers.

Labor is a great problem and here the authorities have released roadmen and other employees having knowledge of agriculture for service on

¹Associate editor, *London Municipal Journal*. This was written in the year 1917.—EDITOR.

the land. The National Service scheme, now abandoned, proved of some assistance, for, being managed by the various authorities, it was possible to recruit workers for the land.

Authorities have established classes for training women to work on the land and thousands have already been so placed. Quaintly enough, in some parts, farmers have a prejudice against female labor and have declined the proffered assistance of these emergency-trained women. Others, however, have been glad to welcome them. The education authorities have allowed school children to quit school earlier than the legal age limit in order that they may do something, for even children are of service in these times of labor shortage. The government, realizing the importance of agriculture, has ceased to gather in farm hands as army recruits. Soldiers too have been lent to render assistance during harvest, but in this connection some farmers have complained that many of the soldiers so lent had no knowledge of farming whatever.

To conserve food supplies, the authorities have organized rat and sparrow clubs, in order to help farmers to get rid of rats and sparrows which do so much destruction to the crops.

Every county now has its war agricultural committee, appointed by the county council and working in direct conjunction with the board of agriculture. Thus, the complete aid of the municipalities has now been obtained to see that England is tilled to the best possible advantage.

A NATIONAL CONFERENCE ON WAR HOUSING

BY ELINOR WOLF¹

New York

TO WHAT extent shall war workers be housed in temporary barracks—in permanent homes? Shall houses for war workers be rented or sold? Shall we provide for the housing of many women workers? What is the best way to house the woman worker? These questions, which are questions of policy arising in connection with projected government housing operations in shipbuilding and munitions centers, were the subjects of the live discussions which characterized the first American conference on war housing, held at Philadelphia February 25, under the auspices of the National Housing Association.

The conference, presided over by Lawrence Veiller, secretary of the association, was attended by manufacturers, real estate men, architects, city planners, contractors, builders, labor leaders, civic and social workers, and housing experts to the number of 244 from 17 states. There was no reading of papers—five-minute discussions only were permitted,

¹Assistant secretary, National Housing Association.

as a result of which a much more general and conclusive expression of opinion was obtained.

More or less of the administration viewpoint on the several questions raised was expressed by Frederick Law Olmsted, city planner, who for months has been in Washington on emergency construction work, and by Philip Hiss, chairman of the sub-committee on housing of the advisory commission of the Council of National Defense. English experience as furnishing a criterion for American policies was described by Thomas Adams, adviser to the Canadian commission of conservation and Frederick L. Ackerman, architect, of New York city. Joseph Richie, general organizer of the American Federation of Labor, spoke for the workers.

Permanent as against temporary construction in government operations was endorsed.

Mr. Olmsted pointed out that the sole interest of the government in housing, at the present moment, lies in its bearing upon the shipping and munitions industries. Housing, in this connection, is purely a means to an end and that end is the quick concentration and stabilization of the labor supply in important centers. Government interest in the type of construction is concerned chiefly with the elements of speed and salvage value, provided the housing is good enough to secure the welfare and contentment of the workers.

Speaker after speaker, however, emphasized that the welfare and contentment of the worker demands permanent construction—or a type of temporary construction that would offer little advantage as to speed and less as to salvage value.

"Shipyard workers and munitions workers are generally men with families," said Mr. Richie. "They are a group of men who want to be housed permanently. If you make a temporary home for a man, you make a temporary job and we don't want men considering that they have a temporary job in the shipyards at this time."

English experience as described by Messrs. Adams and Ackerman adds weight to this statement, for in many cases where England permitted the plea of expediency to justify makeshift construction, she found it necessary, for the sake of stabilizing the labor supply, to undo much of her work and do it over on more substantial lines. She found, moreover, that "the worker must have more than a shelter for his head, and the wastes disposed of; he must play and be recreated," and that "housing" means not merely houses but all the amenities of the modern community.

It was shown, furthermore, that consideration of community as well as individual welfare adds another count in favor of permanent construction. Temporary housing, as demonstrated repeatedly, too easily deteriorates into slum conditions, while permanent houses of good character would tend to elevate the standards of the community.

The objection that there exists, in the zeal of those advocating permanent housing, the danger of building beyond the capacity of the com-

munity to absorb, was answered first, by the argument that industry tends to seek those communities in which the housing is adequate and, second, that in the readjustment which will follow the war, the probabilities are in favor of the occupancy of the better houses and the vacation of the unfit, thus automatically eliminating undesirable conditions.

Discussion of the question, "Shall houses for war workers be rented or sold?" arose from the fact that the American Federation of Labor holds itself opposed to the selling of homes to workers on the ground that it interferes with the mobility of labor. Mr. Richie, however, held that, in the last analysis, that question is up to the individual—that provision should be made for both renting and selling, though at present the high cost of living militates against home ownership.

Speaking to the question "Shall we encourage or discourage the 'Take a roomer' campaign?" Mr. Veiller voiced a protest in behalf of the National Housing Association, pointing out that for years the association has waged an up-hill fight against room overcrowding and the lodger evil which inevitably will be badly aggravated by a campaign which places no restriction upon the number of roomers to be taken or the sanitary conditions under which they may be taken.

The spirit and conclusions of the conference are perhaps best summed up in the words of Thomas Adams: "Take a large view of this question. Establish these new communities upon a permanent basis. Create garden cities now because you have an opportunity you never had before, and recognize that in this country you are increasing your population 20 or 25 million every 15 years and that if you build houses with 100 or 200 million dollars of government money, you are only building one sixth of the yearly demand for new houses in this country and you need have no fear of the danger of having an excessive supply after the war. Do not fail to recognize that you had a housing problem before the war and that you are going to have a housing problem after the war quite independent of the conditions created by the war. That, I think, ought to have a considerable influence upon the method of approach and the consideration which you apply to this question of war housing conditions."

THE CITY AND COUNTY OF DENVER

By PROF. WILLIAM B. GUTHRIE
College of the City of New York

Being a paper read at the Detroit Conference,
National Municipal League, November, 1917.

Copies may be had on application to the offices of the League,
703 North American Building, Philadelphia.

DEPARTMENT OF PUBLICATIONS

I. BOOK REVIEWS

WHERE THE GREAT CITY STANDS. By C. R. Ashbee. London: The Essex House Press. Pp. 165. 21s.

"A Study in the New Civics" is the most appropriate sub-title of this abundantly and adequately illustrated volume from the pen of the well known English architect, designer and craftsman. It is an "after the war" book written during war times and with a full and pressing realization of the dangers of the present and the possibilities of the future. The very first question he asks is "How much of the constructive effort of the last fifty years shall we save from the wreck of the war," and then proceeds to indict that development as falling far short of reasonable achievement. In his answer to the question how we are to check the disintegration of society which he believes was in process before the war, and which he further believes the war is hastening, Mr. Ashbee writes: "What is the real way of checking it? Is it by blind negation, and such resistance as we in England have shown during the last two decades to all new constructive enterprise, to all new ideas? By no means. It is by setting up, within our disintegrating society, new groups among the working people themselves, having a new creative purpose. That purpose must be *standard and quality* in men and things; in short, the method of the arts. It is only by the method of the arts that the disintegration of society can be checked, and the finer reconstruction brought about. A little of this method, and the hope that inspired it, I have tried to set forth in the following pages."

He then proceeds in a series of short stimulating chapters to set up some of the standards which he believes must be achieved if the great city is to stand four square with its opportunities and possibilities. Here are the titles of some of the

chapters which give one a fair idea of the scope of the work and the author's argument: How the art influences of our time have come to us; the pre-Raphaelite inspiration; the idea behind the arts and crafts movement; the impressionists; the growing regard for amenities and the preservation of history; what William Morris stood for; the idea behind post-impressionism and futurism; the housing and town planning movement; the garden city idea; the city center zones, lungs and open spaces; dirt, noise, and the menace of mechanism; poverty, disease, drink, privilege, and the glut of wealth; waste in education; waste in industry; co-ordination in the city as against competition; the coming of the expert; the guild idea and the idea of competitive militarism; standardization and standard; should men make "profit" out of the arts; simplification of life and public grandeur; the reaction of town and country; foresight and the utopian habit of mind.

This book is frankly dedicated and intended for the civic idealist and is stimulating as such. It is not without value and helpfulness, however, to the practical civicist for its pertinent and ripe comments upon American and British reports and undertakings based as they are on personal observation, investigation and study. To those who are searching for new ways of building up a better state, his advice and suggestions and his apt observations will be of undoubted help.

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GOOD HOUSING THAT PAYS. By Fullerton L. Waldo. Philadelphia: The Harper Press, 1917. Pp. 126.

The first question in writing a book of this kind is, "To whom shall it be addressed, the professionals or the general public?" Mr. Waldo decided in favor of the general public, perhaps inevitably as he himself is not a professional. The book

tells what he, a sympathetic and interested layman, learned about the Octavia Hill Association of Philadelphia, its work and the spirit of its work by reading its reports, going over its books, talking with its founders and its staff and accompanying the latter in their daily routine.

While Mr. Waldo is not a professional housing worker he is a professional writer and the book bears evidence to the fact. It is interesting. It is easy reading. And at the end the reader has a clear idea of the aims and the accomplishments of the corporation which owns and manages, or manages for other owners on a commission basis, several hundreds of dwellings in the poorer parts of Philadelphia. Perhaps Mr. Waldo is a little too much impressed with the philanthropy that asks only a 4 per cent return on its investment. The professional housing worker these days is as strongly in favor of a fair commercial return upon housing investments as he is opposed to a large speculative return and is inclined to believe that if the Octavia Hill Association paid 6 per cent instead of 4, the magnitude of its work would be many times multiplied and the social value no whit decreased.

But times change. When the Octavia Hill Association was started, philanthropy and 4 per cent was accepted without question as a promising method of solving the housing problem. Moreover, at that time it was thought possible to buy and rehabilitate old houses and by force of example compel other owners of houses in need of rehabilitation to do likewise. Sad experience has taught us better. The disease of the slum is too deep rooted for any such easy cure. So the Octavia Hill Association, progressing with the times, has begun to build new houses on which it can and does earn a fair return. But its work in past years has been of the greatest social value. It has demonstrated that good houses are a powerful factor in the production of good citizens. It has demonstrated that good management, while costing more, produces a greater revenue because of greater steadiness in payments and fewer vacancies to say nothing of lessened depreciation. This demonstration

that good management, like advertising, pays, has been its great contribution.

JOHN IHLDER.



RURAL PLANNING AND DEVELOPMENT.

A Study of Rural Conditions and Problems in Canada. By Thomas Adams, Town Planning Adviser, Commission of Conservation. Published by the Commission of Conservation of Canada, as a report to the Governor General, from the office of the Commission in Ottawa.

It is impracticable within the necessarily brief limits of a review to give an adequate idea of the importance, breadth and quality of this monumental work, which, while it is basically adapted to Canada, is equally necessary if any democratic community anywhere is to accomplish its aim.

Mr. Adams came to Canada some years ago after a ripe experience in Great Britain, where he had been president of the Town Planning Institute and general planning inspector to the Local Government Board of England and Wales, and the secretary and manager of Letchworth Garden City. He has since his arrival in Canada become, at least as the writer looks upon him, a very able citizen of America, including both Canada and the United States. He has been ready at the instant of call to do loyal service in the United States, and his wise words, broad thought and fine experience have joined to make him a man of the utmost usefulness and importance in all problems relating to the sane handling of urban and rural living conditions.

The book in question is considerably more than a discussion of rural planning. In its first paragraph the problem is rather clearly stated. This reads, "After the Great War European nations will need restoration and reconstruction, but Canada will need conservation and development. There never was a greater opportunity for wise statesmanship—for the exercise of prescience and sound judgment by the men who lead in national affairs."

Mr. Adams in this great volume discusses not only the best methods of planning and developing land, but the promotion of "scientific training, improved educational facilities and means of social intercourse, and the establishment of an efficient government organization" to secure "co-operation, rural credit and development of rural industries."

The book cares for systems of surveying and planning, for transportation and distribution, for the land development problems, for rural life and rural industries, for government policies and land development, for the handling of returned soldiers, and for the proper legislation to effect all these high aims. All this rich gathering of facts, illustrated copiously with diagrams and pictures of the most emphatically pertinent character, is focused in Chapter X, "Outline of Proposals and General Conclusions." These propositions relate themselves intimately to things done and needing to be done in the United States as well as in Canada, and it is apparent all through the book that, as has before been suggested, Mr. Adams is a true citizen of America.

It would be better, perhaps, had the volume been more broadly named in accordance with its scope. It may well be cited as the best present literature of authoritative nature on that orderly, logical and wholly economic development without which, despite the outcome of the Great War, democracy cannot be the success its facilities predicate for it.

J. HORACE MCFARLAND.



CO-OPERATIVE MARKETING. By William W. Cumberland. Princeton, N. J.: Princeton University Press. Pp. 218.

This is the first thoroughly complete and satisfactory description of the California Fruit Growers' Exchange. The importance of the work may be appreciated in view of the undoubted fact that the exchange in question is the biggest and best organized of any agricultural marketing company in the United States, and one of the greatest in the world. Thus a careful and detailed account of

the workings of this company is very acceptable.

The most conspicuous fault in the book is its title. While virtually a monograph it bears a generic name and so purports to be more than it is. The first chapter is a little over ambitious and promises more than it fulfills. Neither is it altogether accurate. For example, the author says that co-operative marketing has received "relatively slight consideration" as compared with co-operative production or co-operative buying. The amount of material at hand describing co-operative marketing can hardly be called relatively slight. It is hardly true that "the great staples which absorb so large a proportion of the social income are left to find their way to market in the old aimless and expensive fashion," even though only a respectable beginning has been made toward reform.

The author is hoping for rather too much when he says, "The need is for a comprehensive system of distribution, based on principles of efficiency, capable of universal application," while his essentials for a successful plan (page 8) are hardly comprehensive enough. The monograph really begins with Chapter II. It traces the history of co-operative efforts in the marketing of California citrus fruits. The author writes like one who has seen the things he describes, and what he has to say bears all the marks of a penetrating comprehension of the complex processes. It is a story worth telling and is well told. The most striking facts brought out are: that the citrus fruit growers are a superior type of men; that they were all but compelled to co-operate; that in co-operating there is left an element of competition, each group having the right, and the incentive, to outdo other groups in making sales; and that they recognize the value of leadership and are willing to pay for it.

The importance of the exchange is told in a paragraph: "It is evident, therefore, that the exchange system has accomplished the purposes for which it was organized. Marketing expenses all along the line have been reduced, distribution has been equalized, and consumption of

citrus fruit enormously expanded. Based on achievements, only one verdict is possible in passing judgment on the exchange system. Without the system the California citrus fruit business could never have developed." It is a pity the book which so excellently sets forth these facts could not have borne a name descriptive of its contents, such as: *The Co-operative Marketing of Citrus Fruit*.

B. H. HIBBARD.

University of Wisconsin.



THE FOOD PROBLEM. By Vernon Kellogg and Alonzo E. Taylor of the United States Food Administration. With a Preface by Herbert Hoover. New York: The Macmillan Company. Pp. 212. \$1.25.

After briefly reviewing the food situation of the Western Allies and the United States and discussing the general subject of food administration, the authors tell how England, France and Italy are controlling and saving food and about food control in Germany and its lessons. This comprises "The Food Problem and Its Solution." A second part, "The Technology of Food Use," deals with the physiology and sociology of nutrition and with grain and alcohol. Concluding pages discuss patriotism and food. The book is interesting and convincing. Strange to say, while advocating garbage utilization by the reduction process, no reference is made to the far simpler and less expensive plan of feeding garbage to hogs, which is much more feasible for the majority of cities.



THE PSYCHOLOGY OF CITIZENSHIP. By Arland D. Weeks. Chicago: A. C. McClurg and Company.

In form and content this small book with its brief discussion of many separate topics is calculated to give students of government many "first aids" in thinking and working. If 100 readers of the *NATIONAL MUNICIPAL REVIEW* or even 10 would put aside for one month short notes under headings treated in these 145 4 x 7

type pages, an invaluable handbook on practical uses of the psychology of citizenship would result.

Helpful "jolts" follow:

In order to relate effort for public welfare more fully to laws of mind, it is profitable to view our mental nature as it shows up against a background of civic and economic questions.

Constituents are proudly triumphant when their representatives force through a bill compelling railroads to bulletin the time of arrival and departure of trains, but are not particularly curious as to the relation of freight rates to the cost of living.

The classical scholar tends to be but partially scientific. Sucker lists are compiled from college catalogues.

Too much emphasis can hardly be placed upon the actual character of the information which society permits to circulate or deliberately diffuses through agencies under state control.

To have a voice in government is not more important than to have a voice in the business with which one is connected.

The historical student sees objections to reforms which less informed men accomplish through unscholarly optimism.

The diffusion of constructive civic ideas is fundamental to social betterment.

A rogues' gallery of modern evils, supplemented by constructive suggestions pictorially represented, would have possibilities.

New journeys must be made by seeming to follow old routes where familiar guide boards stand.

The fullest confidence is not reposed in public agents because so much of their work is not generally known. It is necessary to develop agencies which will have the effect of placing public servants on a platform of observation and in a light which leaves nothing to the darkness which evil loves.

Misunderstanding of congressmen is due less to the incapacity of constituents to understand language than to the absence of authentic, skilful, and ample reporting.

The miscarriage of modern politics is probably due more to lack of civic publicity than to lack of mentality or character.

The universities should train men and women in the technique and ideals of civic journalism.

Voters should know the subject matter of elections . . . should be admitted to the exercise of their function only upon

proof of competence. The man who conscientiously follows political questions should not have his part counteracted by one indifferent to public affairs.

Surely the right to vote should be contingent on the correlated duty to know upon what one is voting.

A vast amount of futile talk would be displaced by the simple expedient of trying proposals for improvements in civic administration.

The community which would cavil at paying a public servant three thousand dollars a year pays uncomplainingly perhaps ten thousand dollars to the president of the local bank and beholds with equanimity the gathering in of the unearned increment on a township of land by a prominent citizen amounting to scores of thousands of dollars annually.

If the writer of this book would take concrete every-day experiences of field workers and give us a "case method" elaboration of this suggestive treatment of the psychology of citizenship, he would make it easy vastly to improve our contact with our constituencies.

W. H. ALLEN.

New York City.

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COMMUNITY CIVICS. By R. O. Hughes. Boston: Allyn & Bacon. Pp. 505. \$1.25.

Mr. Hughes of the Peabody High School, Pittsburgh, has published a text book which runs to nearly 500 pages. After the manner of the last century it might almost be called a compendium of indispensable information. The diction, however, is conversational, almost colloquial at times. The lessons bear the mark of live class-room discussion and if they occasionally lack that finish which comes from well considered pruning and polishing, there is sufficient compensation in the appeal they make to the every-day experiences of young citizens.

Mr. Hughes treats first the "Community Life." He builds on this, the need for government and the rights and duties of citizens. Under "Elements of Community Welfare," he presents the principles of city planning, health, recreation and education together with the protection of the community by police and fire de-

partments. "The Mechanism of Our Government," formal and informal, federal, state and local, is presented in some detail.

In general the treatment is sane, searching and stimulating. Occasionally, however, Mr. Hughes has not escaped the didactic,—a fault we are all prone to commit in dealing with current reforms. It may be that the next generation of Americans, housed in sublimated apartments, filled with automatic contrivances to reduce the business of living to the lowest common denominator, will smile at the statement:

"Yet whatever conveniences even the best apartment house may afford, it can never possess the spirit and sentiment that are associated with the old cottage in the Green Mountain village or even the little home in West Philadelphia where every house looks like the next one."

On the other hand they may agree and still repine.

Certainly the text book is along the right lines. Good community teaching can, of course, never be confined to a general treatise. In this regard Mr. Hughes is particularly helpful in suggesting fruitful lines of inquiry.

HARLEAN JAMES.

Washington, D. C.

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UNIVERSAL TRAINING FOR CITIZENSHIP AND PUBLIC SERVICE. By William H. Allen. New York: The Macmillan Company. \$1.50.

THE DAWN OF A NEW PATRIOTISM. By John D. Hunt. Toronto: The Macmillan Company of Canada. \$1.25.

AMERICANIZATION. Compiled and edited by Winthrop Talbot. New York: The H. W. Wilson Company. \$1.50. The Hand Book Series.

Dr. Allen is always stimulating and his most recent volume is equal to his best. He points out how the phrase "until after the war" is a qualification for all our thinking and planning, and that one of the great problems for all countries will be how "while removing war's wreckage, to guarantee the permanence of its bene-

fits and to direct its momentum toward rebuilding what war has torn down, and realizing ideals which war evils have disclosed." It is not always easy to grasp the full meaning and significance of the short, snappy sentences which characterize Dr. Allen's books, but they do stimulate, sometimes by irritation, which we are told is good pedagogy. Among the most interesting chapters for readers of the NATIONAL MUNICIPAL REVIEW are those dealing with training for leadership in civic work and for entrance to civil service.

John D. Hunt, who is the clerk of the executive council of Alberta, has written a book which, although designed for Canadians, has a significance and value for the United States of America. Its sub-title "A Training Course in Citizenship" only partly discloses its purposes; for as our author himself in his preface says:

"While this book is adapted for the use in our public schools and colleges, it is also intended for the instruction and inspiration of the men and women who are now in possession of the franchise. The cultivation of good citizenship provides common meeting ground for all sections of the community. . . . If there is in existence in the community a suitable organization such as a Canadian club, a literary society, a citizens' club, a home-makers' club, or a local union of the farmers, advantage may be taken of such organization to introduce this book as the basis for a series of studies, discussions and entertainments."

Further on he says: "Freedom is not guaranteed to us. Every generation must fight for it, and every individual must win it for himself, and it is in the struggle that good citizenship is developed." And again in his chapter on "The Meaning of Democracy" he says: "Democracy is a government, in which every man, by virtue of his manhood alone, has an equal voice in the common affairs of the common country. . . . Democracy also stands for the economic freedom—the duty of the state to preserve an economic condition that will afford

opportunity to every honest and willing worker to gain a fair and equitable living. . . . Remember, for this is the kernel of the matter, that the theory of democracy assumes a far higher level of good sense, judgment, honest purpose and devotion to the public welfare in the citizen of a free country than is either looked for or needed in the subject of a despotic monarchy or of an oligarchy."

In addition to a large mass of well articulated quotations and references we find numerous practical suggestions as to procedure.

Dr. Talbot's volume is even more of a quilt (to use Mr. Hunt's phrase). To change the simile it is a "service book" which will prove useful for classes in Americanization. It has fewer original comments and observations than Mr. Hunt's and therefore is of less interest to the general reader, but it brings within handy scope a mass of excerpts and information of great usefulness in these days when a solid front of Americanism is an essential.



ON THE ENFORCEMENT OF LAW IN CITIES.

By Brand Whitlock. Indianapolis: The Bobbs-Merrill Company. Pp. 95. (New Edition.)

Because of the author's splendid service in Belgium and because of the rapidly changing attitude in the United States toward the always present subject of vice control—a change that is due in part to war psychology and war needs—it is of especial interest to review Mr. Whitlock's open letter to representatives of the federated churches of Toledo. This letter was written in the far-back year of 1910. Upon its subject one may ponder without end, but unless one be bigoted one may seldom conclude more than tentatively.

One may or may not agree with some of the author's points of view. In treading upon worn but almost unprovable ground, he is never bigoted. He is dealing in a few words with a large and ramifying social subject. Of scientific fact there is little; of unscientific speculation upon human frailty and relationship there is

much. But whatever else may be said, this letter is moving literature; it is full of spirit, of rebuke, of tolerance, and of high hope for better things.

A considerable part of the letter is devoted to sustaining the thesis that our laws are in advance of our ethical standards and, being thus, must produce urban difficulties. We have had more emphasis upon this aspect of the subject than upon the fact that laws not only reflect public opinion but also assist in its making. In respect to much of our vice legislation there is a positive favorable sentiment, a positive oppositional sentiment, and a large negative sentiment. Difficulty lies chiefly with the latter. How may this passivity best be galvanized into positivity—by laws which lag behind or press beyond an actively favorable public opinion? That is doubtless an open question. Mr. Whitlock's letter is no guide to its solution. But it is very well worth reading and serious contemplation.

HOWARD LEE MCBAIN.

New York City.



PRINCIPLES GOVERNING THE RETIREMENT OF PUBLIC EMPLOYEES. By Lewis Meriam. New York: D. Appleton and Company. Pp. 465.

The official and the citizen familiar with public employment and the unfair and financially unsound pension funds frequently provided for school teachers, firemen, and policemen, will find an amount of satisfaction in Mr. Meriam's common sense discussion of the retirement situation. The author does not pretend to approach the problem with preconceived notions of what should constitute proper retirement methods, nor does he attempt to base his conclusions upon present practices. Rather, after a comprehensive discussion of the entire retirement situation, there follows a detailed discussion of the principles underlying the retirement of public employes, with the writer's conclusions.

An early chapter deals with the objects

sought in establishing retirement systems, and in which is reviewed the familiar difficulties affecting public employment,—character of employes, underpayment, retarded advancement, superannuation, etc. There follows a review of present systems with a statement of the problems, which they raise. Of greater length and importance is the discussion of the solution of these problems and the methods establishing a sound retirement system.

The citizen who believes that public business can be conducted with the same efficiency as private business, would do well to read the early chapters of the book, if for no other reason than to learn that conditions surrounding public employment are entirely different from those in private life and that these unusual conditions must be met by unusual precedents. Such a reader should also review the final chapter on conclusions, which summarizes the reasons for a retirement system and the basis upon which they should be placed.

This book is not one for the person who is only casually interested in the government, but for the student and the official who is compelled to meet technical problems of administration. It is most carefully written and includes a mass of detail concerning the different problems which can have only a limited field of attention. However, the conclusions, which the writer draws so excellently, summarize the results of his careful study and discussion. These findings result from such evident proof of the necessity for a method of retiring public employes, and involve such sensible proposals for accomplishing this end, that it is unfortunate that this one section cannot obtain the widest circulation among not only officials and civic agencies, but among citizens in general.¹

LENT D. UPSON.

Detroit, Mich.

¹ This volume is one of the series in the *Principles of Administration* prepared for the Institute for Government Research.

THE BOOK OF NEW YORK. By Robert Shackleton. Philadelphia: The Penn Publishing Company.

This book deals with the life and genius of our American metropolis in an illuminating way. While not pretending to be in any wise a historical contribution, it is full of historical references which are helpful and suggestive. Some chapters are notably so, for example, the one on Greenwich Village. It deals, however, with old memories and artistic points of interest rather than with civic conditions. Indeed it deals not at all with the seething population and their problems, and we have no mention of that local institution by which the old village is now perhaps best known—Greenwich house, where Mary Simkhovitch and her friends and colleagues are doing a work which has achieved, and justly so, a country wide fame. The same is true of other portions of the book. In the description of clubs, we find no reference to the City club

which now for a generation has been a rallying point for the forward movements of the greater city. Our author's interests are evidently not civic in the sense that readers of the NATIONAL MUNICIPAL REVIEW use that term, but he has given us a readable and interesting book within the limitations which he has set for himself. The illustrations, which are abundant, are much more modern than the author. Nevertheless he has caught the spirit of New York as is shown in many a fine paragraph of which the following is an example:

"There is the greatest and most reckless spending in the world, and there is the most pinching economy. You may stand beside some wealthy woman who negligently orders furs or gowns costing thousands, and in a few minutes may be in a shop where you will hear a poor child, who is buying a loaf of stale bread and a penny's worth of cheese say to the clerk, 'Mother wants you to cut it with the ham knife to give it a hammy taste.'"

II. BOOKS RECEIVED

AMERICAN CITY PROGRESS AND THE LAW. By Howard Lee McBain. New York: Columbia University Press. Pp. 269. \$1.50.

THE AMERICAN YEAR BOOK. A Record of Events and Progress for 1917. Edited by Francis G. Wickware. New York: D. Appleton & Company. Pp. 822. \$3.

CO-OPERATION: THE HOPE OF THE CONSUMER. By Emerson P. Harris, assisted by Edgar Swan Weirs and Florence Harris. New York: The Macmillan Company. Pp. 328. \$2.00.

HOUSEHOLD MANAGEMENT. By Florence Nesbit. New York: Russell Sage Foundation. Social Work Series. Pp. 170. 75 cents.

RELIEF FROM FLOODS. By John W. Alvord and Charles B. Burdick. New York: McGraw-Hill Book Company. Pp. 175. \$2.

PLAN OF MINNEAPOLIS. Prepared under the Direction of The Civic Commission,

1917, by Edward H. Bennett and Andrew Wright Crawford. Minneapolis: The Civic Commission. 1917.

THE SOUL OF DEMOCRACY: THE PHILOSOPHY OF THE WORLD IN RELATION TO HUMAN LIBERTY. By Edward Howard Griggs. New York: The Macmillan Company. Pp. 158. \$1.25.

THE STATE TAX COMMISSION. By H. L. Lutz. Cambridge, Mass.: Harvard University Press. \$2.75.

TUBERCULOSIS: ITS CAUSE, CURE AND PREVENTION. By Edward O. Otis, M.D. New York: Thomas Y. Crowell Company. Pp. 328. \$1.50.

TWO TOWNS—ONE CITY: PARIS-LONDON. By John F. MacDonald. New York: Dodd, Mead & Company. Pp. 246. \$2 net.

WAR TIME CONTROL OF INDUSTRY. By Howard L. Gray. New York: The Macmillan Company. Pp. 307. \$1.75.

III. REVIEWS OF REPORTS

Publications of the American Judicature Society.—Two publications of the American Judicature Society,—“A draft of an act to establish a model court for a metropolitan district” and the “Second draft of a state-wide judicature act”—are of value to persons and organizations interested in the reform of the state and municipal judicial machinery. In our states and in our large cities the court systems have been more or less like Topsey, they “just grew” out of old frontier court systems suitable to only rural or semi-rural communities. By these drafts the authors are pointing the way to bring order out of this generally unsatisfactory condition.

There has been among lawyers such an awe of the court as an historic institution that no one has dared to lay violent hands upon abuses that have grown out of the lack of flexibility and the lack of proper administrative machinery to handle the ever increasing bulk of work piled upon the courts. In most cities and states the only way in which this has been met has been by appointing additional judges for the over-burdened courts, or by creating new courts or divisions of courts to handle special classes of cases. Little has been done to provide logical and flexible means for handling the increasing and diversified business of the courts.

The most commendable feature of the proposed acts is the flexibility provided by making possible the transfer of judges from one court or division to another as the volume of work demands it. Such a scheme would do a great deal to relieve the congested calendars, especially of the so-called higher courts. With the courts under one administration much time and expense could be saved, much of the legal red tape that has grown up could be done away with, and the litigants in the civil courts and the defendants, witnesses and complainants in the criminal courts would be saved the hardship and annoyance of delay. In the end justice would also be much better served.

These schemes are deserving of very

careful study. At present they must be considered ideals toward which to work rather than practical systems to be adopted in blanket form. Each city and each state has its own peculiar situation that must be met. In most cases where legislation looking toward this ideal is sought, the scheme must be modified to suit existing public opinion and political conditions. In most cases it will undoubtedly have to be done piecemeal. An attempt made a few years ago to put all of the inferior criminal courts of New York city under one jurisdiction met with so strenuous objection, not only from the politicians, but from the more conservative members of the bench and bar, that it was possible to realize only a part even of this modest aim. This would most likely be the experience of other communities if general blanket schemes of state-wide or metropolitan district judicial reforms were sought by legislation.

The first act provides in suitable terms for the general organization of all courts, both criminal and civil, under one judicial system. The staff of judges in this court consists of a chief justice, presiding justices for the various branches of the work and junior associate judges, and “masters of metropolitan court” whose duties are similar to masters in chancery and referees.

The chief justice is given large administrative powers as the head of the administrative machinery of the court system. The judicial council, composed of the chief justice and the presiding justices of the various branches, has wide powers. The plan provides for five divisions of the court, as follows:

(1) Equity division, (2) probate and domestic relations division (including children's courts), (3) civil jury division, (4) civil non-jury division, and (5) criminal court division.

The proposed act further provides for the manner of assignment of judges to various branches of the work, for meetings of the board of justices, for the organization of a clerical staff and the appoint-

ment of jury commissioners, etc. The scheme is carefully worked out and is quite radical in its proposals.

The second draft of the state-wide judiciary act provides a model system of courts for a state along lines similar to those for courts of the metropolitan district. The staff of courts is as follows:

(1) A court of appeals, (2) superior courts, and (3) county courts. Magistrates are provided for as subordinate to the county court judges.

Provisions are made for masters or referees and jury commissioners and for a clerical staff. A judicial council and yearly meetings of the judges to discuss and determine matters of policy are provided for. The state-wide plan seems much less practical and feasible than the plan for metropolitan districts. In reading the two acts one is inclined to feel that those who had to do with the drafting of them were more familiar with the problems of court administration of a large city than with those of a state.

Bulletin No. 10. "The selection, tenure and retirement of judges," is an excellent discussion of these important questions. The document points in an effective way toward the necessity of making judges appointive rather than elective and giving them a long tenure of office.

GEORGE EVERSON.¹

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Proposed City-County Consolidation in Los Angeles.—The California taxpayers' association proposes in a very exhaustive report² on the city and county government of Los Angeles that the two units combine under a single organization which would unify the city planning, highway system, local transportation, public utility management, sewage disposal, water supply, flood control, harbor management and many aspects of public health and morals. In framing a plan to attain this object, the association felt the need of a council of moderate size—possibly of from

17 to 21 members—whose functions should be legislative only. Concerning the chief executive, the report firmly asserts that he should be chosen by the council; that he should hold office without definite tenure and that he should have power to appoint and dismiss at will all heads of departments, with a few specified exceptions.

The plan recommended would realize the ideal of the short ballot in a very thoroughgoing way. By consolidating all the local governments into one, and by vesting all administrative and legislative authority in a council composed of one member from each district or ward, each citizen would exercise all his voting power for local purposes by his ballot for councilman from his district or ward.

Concerning the organization of the judiciary, another interesting proposal is made. At present the electors of Los Angeles county choose twenty superior court judges and a great multitude of justices of the peace. As a remedy for this particular evil the report suggests the election of one or more superior judges and the appointment by them of more superior judges of inferior courts. This recommendation is not final, however, in view of the many constitutional and other legal obstacles in the way of reorganization.

The municipalities of Los Angeles county, including the county itself, in the fiscal year ending June 30, 1916, disbursed \$32,131,194.58. By adopting the proposed plan of consolidation it is estimated that an annual saving of \$2,688,519.00 could be effected in salaries, maintenance and operation expenses, and the purchase of supplies, while at the same time better service would be rendered all along the line and a more representative government established.

Los Angeles is a rather typical metropolitan community—the big city, a fringe of independent suburban communities and, superimposed upon all, a county government which, in spite of reorganization a few years ago, is still far from satisfactory because of the complexity of the general plan of local government. In practice it means duplication of effort and attendant

¹Executive secretary, committee on criminal courts, New York Charity organization society.

²City and county consolidation for Los Angeles. Report prepared by taxpayers' association of California. October, 1917. 194 pp.

waste, as well as varieties of standards, particularly in the matter of assessment and collection of taxes. Twenty of the twenty-six municipalities within the county in the fiscal year 1916 maintained their own assessors and tax-collectors—an item of \$125,690.10 thrown away for the sake of permitting localities to violate and evade the constitution and statutes which require property to be assessed in proportion to its full value. In the auditing of accounts and in the administration of fire protection, public health, charities and roads, are to be found the same sort of duplication in the appropriation of funds and a complete absence of planning.

The plan proposed in Los Angeles follows in many respects the recommendations of the Chicago bureau of public efficiency for the reorganization of Cook county municipalities.

H. S. GILBERTSON.



How Baltimore Succeeds without County Government.—The interesting address of S. S. Field, city solicitor of Baltimore, on this subject at the twenty-fifth national conference of the National Municipal League and other organizations has been printed in the *Municipal Journal* of Baltimore dated March 8. This publication is an official one.



The City and County of Denver.—Professor William B. Guthrie, of the College of the City of New York, read an exhaustive paper on this subject at the Detroit meeting of the National Municipal League¹ which has been published in pamphlet form and can be had upon application to the offices of the National Municipal League, North American Building, Philadelphia.



Municipal Association of New Zealand.—New Zealand has a municipal association with 153 member municipalities. The "Rules" of the New Zealand Association are strikingly similar to the constitution

¹See NATIONAL MUNICIPAL REVIEW, vol. vii., p. 122.)

and by-laws of many such municipal leagues and associations in the United States. The general objects are stated to be "to watch over and protect the interests, rights, and privileges of Municipal Corporations; to take action in relation to any subject affecting municipal bodies or municipal legislation; to procure legal opinions on matters of general interest to municipalities; and to promote the efficient carrying out of municipal government through out the country."

In addition to pursuing the general objects the rules state that the association will undertake test cases of a nature affecting municipalities generally, the cost of such litigation to be prorated among the members of the Association. At least one of the state leagues of municipalities in the United States (the New Jersey league) is now engaged in contesting an application before the board of public utility commissioners, the expense of which is prorated in the same manner.

The rules also provide for "steps to be taken toward establishing and maintaining a dominion library of municipal works of reference; receive papers of interest on special subjects relating to municipal government for submission to conference; compile and collate statistics, and take such other steps as are deemed necessary for the dissemination of useful knowledge amongst the municipalities represented on the association." This association has a schedule of dues of member municipalities which they call "annual subscriptions," based, as are the dues of leagues of municipalities in the United States, upon population. Their four large cities Auckland, Wellington, Christchurch and Dunedin pay an annual subscription of £10, 10s., boroughs having a population of 1,000 or over pay £8, 8s. and the graduation proceeds downward to town districts of under 1,000 which pay £2, 2s.

An interesting statement from the report of the president reads: "The committee has acceded to a request from the Union of Canada Municipalities to join the International Municipal League for Friendly Intercourse."

CLAUDE H. ANDERSON.

Municipal Association of Victoria.—Municipal Associations, leagues or unions are by no means confined to the United States. We find that a municipal association has existed in Victoria, Australia, since 1879, which seems to have been consistently active throughout all these years. The association held its twenty-fifth annual session, October 17th and 18th, 1917, with more than 150 delegates present. These delegates represented the cities, shires, boroughs and towns of Victoria and came from their largest cities, such as Melbourne, and their smallest boroughs. It seems that the Association is not merely an association of the municipal officials, but that the municipalities are members as such, as is the case with many of the state leagues of municipalities in the United States. The voting is done in the name of the municipality and all motions are recorded as having been made by the municipality represented by the official making the motion, rather than the official himself. Interesting subjects discussed and acted upon by the 1917 convention of the Victoria Municipal Association were the following: Preferential voting at municipal elections, prohibition of touring for votes, municipal finances, rating of absentee land owners of unimproved land, regulation of traffic, cost of street construction, position of telegraph and telephone posts.

C. H. A.

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Social Agencies of Alameda County.—A survey of the social agencies of Alameda county, California, which includes Lakland, Berkeley, and several other suburbs of San Francisco, was made for the county board of public welfare by Jean Howard McDuffie who had the cooperation of leading social workers and of students in the University of California. The report¹ is an imposing volume of 56 pages, each 12 by 18 inches in size. The stated purpose of the study was "to give to the social workers of the county a

hand-book of information as accurate as it has been possible to obtain; to give to the public an accounting of the social work attempted—by whom, at what cost, and with what results; to give to the organizations carrying on this work a picture of the whole, so that they may view their own activities in relation to those of other groups working in the same or related departments; to encourage the keeping of uniform records for public information, and to help in the study of the causes of dependency, sickness and delinquency, with a view to their elimination; and, last, to lay the foundation for future and better surveys which shall record progress as a program of constructive social work is year by year developed to meet the needs of Alameda county."

Thus the survey does not claim to be intensive. It is pre-eminently extensive. In regard to most of the groups of agencies studied, a few general recommendations are made, but in the main the report will not serve as a basis for any very important changes in the methods of work of the various organizations. It is best described as an elaborate social service directory of the county, with special articles by leaders in each field of work. There is also a digest of laws relating to social conditions, which should prove valuable to local social workers.

Of chief interest to students in other parts of the country are the rather extensive tables in which the work of each group of organizations is expressed. For example, for each public and private agency engaged in the distribution of general relief an attempt was made to show its name, its headquarters, the date of its founding, the territory it covers, its administrative board, its staff, its activities, a statistical summary of the service it renders, and a financial summary showing its cost to the state, county, and city, and its receipts in fees, dues, fines, subscriptions, donations, entertainments, endowments, etc. For each agency engaged in the care of needy children the following special items are shown: the special class of children admitted, the age and sex of admitted, procedure to be followed, the

¹ Survey of social agencies of Alameda county, Cal. (based on 1915-1916 reports). Prepared by Jean H. McDuffie for the board of public welfare and published at its request by the board of supervisors. Edited by Porter Garnett. 1917. 56 pp.

capacity of the institution, the average number admitted in 1916, the average length of stay, whether mental, medical or dental examination is required and to what extent, the educational and industrial opportunities offered, the final disposition made of the children, and the charges, if any, made for those cared for. These tables give a comprehensive outline of the more important factors in each line of work and should prove of decided value to any one wishing to study the work of any or all such organizations in other cities.

One is surprised to note the expensive series of maps which the report contains, each printed in three colors and each showing the distribution of the population in the county in comparison with the location of agencies in the particular group described. In regard to most agencies so many factors besides that of population should control the location of buildings or offices that the maps, at least to an outsider, tell little that is of value. It would seem that this considerable cost might have been saved for a more useful purpose.

FRED S. HALL.

New York City.

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"Humanizing the Greater City's Charity" is the title of an attractively illustrated pamphlet of 144 pages published by the public welfare committee which was organized to promote the re-election of Mayor Mitchel by showing the citizens of New York the results accomplished by the Fusion administration through the reorganization of the department of public charities.

It is a hopeful sign that a city in which centers the world's money market should set for itself such a splendid program. Under its newer and truer conception of the purpose of public welfare work, the city of New York has established a program of service which is both scientific and humane and which builds for to-morrow as well as for to-day. It attempts to prevent crime, to rebuild human lives, to prevent continued and developed delinquencies, to stop the ravages of disease and to build up an efficient body politic.

Its program for to-morrow, looking far ahead, contemplates provision for the basic necessities of normal life, such as food, shelter and clothing, and aims to bring its charges to a state of self-dependency, by helping them to stand upon their own feet and secure for themselves the common necessities of life. To those who stand on the border-line of poverty it proposes to reach out the helping hand and save them from the abyss. Above all, it has a heart which is sensitive to the humane and benign motives which should ever characterize welfare work.

Following such a program, New York will yet become a city of hope and health and the fullness of life, where all that ministers to the welfare of man is found—a city where social justice and the common welfare are the highest objectives of human aspiration and hope. This pamphlet will serve a splendid, inspirational purpose in leading other communities to follow in the same line of public welfare work.

D. F. GARLAND.¹

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Industrial Housing.²—The housing collection which has been assembled by Dr. James Ford at Harvard has been the source of considerable valuable information to students during the past few years, and this pamphlet by Mr. Hamlin indicates that it may be made to serve immediately practical purposes as well. Here in small compass is gathered most of the available information as to the experience of companies that have recently built small dwellings for wage-earners. Row houses and multiple dwellings or tenements are not included in the study.

According to the author, adequate housing involves (1) shelter; (2) sanitation; (3) provision for family life; and (4) æsthetic pleasure. With these in mind he presents the experience of a number of companies that have sought to provide them in low cost houses. He sets

¹ Director of public welfare, city of Dayton, Ohio.

² Low-cost cottage construction in America. A study based on the housing collection in the Harvard social museum. By Winthrop A. Hamlin. Publications of the department of social ethics in Harvard University. No. 7. 30 pp.

\$2,000 as the approximate cost of the dwelling, though the wide variations in labor and material prices in different parts of the country make anything more than an approximation impossible. Moreover, as the figures he quotes are for different years, some of them as far back as 1903, they are of comparative rather than of actual value to one who is confronted with the high prices of 1918.

Mr. Hamlin takes up the different building materials—frame (with a sub-division on ready-built frame houses), brick, hollow tile, concrete (with a sub-division on the poured concrete house), and stucco—and under each lists its advantages and disadvantages so far as they have yet become manifest. A large number of pictures and floor plans of the houses described add to the value of the pamphlet. At the end is a chart containing tabulated data on twenty nine developments.

JOHN IHLDER.



Industrial Survey of Cincinnati.—*Garment-making Industries.* The Cincinnati chamber of commerce which is making a systematic vocational survey of the industries in Cincinnati under the direction of C. R. Hebble, has issued a report dealing with the sewing trades, which suggests certain fundamental principles as to industrial education and makes practical recommendations with regard to instruction in the sewing trades as applied to the Cincinnati public schools. These recommendations are now being carried out by the city.



A Marketing Survey of New Haven¹ was made last year by Professor Weld and a group of graduate students of Yale University. It seems that there had been a controversy over the question of a public market for the city. The chamber of commerce wanted information on which to base a decision. The study concerns itself with the marketing of farm produce, meat, truck and fruit. A large part, but

far from all, of this produce is raised within as short radius as fifty miles from the city. Butter comes mostly from greater distances, as does also the greater part of the fruit and meat.

With respect to the produce grown near the city, a considerable portion is sold in the farmers' wholesale market, which is an open air, unregulated affair, without even a marketmaster. Stalls are unassigned, and in consequence many farmers often arrive two or three hours before business opens in order to get a favorable location. Lack of organization and standardization results in lack of patronage, many merchants not going to the market at all. Of the goods sold at the market, 45 per cent is bought by peddlers, 24 per cent by retailers, 22 per cent by wholesalers, and 9 per cent by shippers.

The butter and egg trade is mainly in the hands of wholesalers who get their supplies from the west. While this business is often of a speculative type, on other occasions the wholesaler who buys butter and eggs during the spring contracts at the same time with a retailer for certain amounts to be delivered during the following winter. By this means the wholesaler is led to do business on a small margin. The danger is that the retailer will be led to buy at too high a figure.

The meat trade is in the hands of the packers until the retail store is reached. The retailer takes a gross margin of 18 to 30 per cent which is the largest part of the charge between producer and consumer. A sketch of the marketing of milk shows that the city's supply is produced within 60 miles of the city, nearly three-fifths of it within 20 miles. The story is the same as elsewhere—the business is so severely competitive that dealers take a big surplus in summer in order to have an ample supply in winter. The farmers get about 47 per cent of the consumers' dollar, the distributors the same, and the railway companies the balance.

After considering the facts presented by these studies the conclusion is drawn that a farmers' retail market would probably not succeed; that a retail dealers' market is not needed; that the city is hardly

¹ Marketing Survey of New Haven. By L. D. H. Weld, assisted by R. E. Badger, H. A. Brandt, J. D. Hanstein, and H. B. Price. 52 pp. New Haven chamber of commerce.

large enough for a wholesale dealers' market beyond what the wholesalers have themselves provided; that the city does distinctly need a farmers' wholesale market. Steps are being taken to provide it.

B. H. HIBBARD.

University of Wisconsin.



Marketing and Housework Manual.¹—

In these days of food shortage and labor shortage, when economy is not merely commendable but is at once urgent from the personal standpoint and almost imperative from the national standpoint, a practical guide in how to choose wisely and manage efficiently is most welcome. The present volume is compact and clear and most attractive in appearance.

The first chapter gives general rules for marketing which are not pedantic or artificial but consist of common sense hints useful to either the experienced or inexperienced. Chapter two consists of marketing charts by means of which the leading facts concerning all manner of foods are conspicuously set out in order so as to be easily found and comprehended. The charts are supplemented by lists of rules for buying and caring for food. This chapter is followed by one on menu making. Chapter five discusses the selection of foods from the standpoint of their dietetic value. Chapter six outlines a method of taking an inventory of the food on hand in order to estimate the cost for a given period. These chapters constitute Part I.

Part II consists of fourteen chapters covering all phases of general house work and management, from the washing of dishes to the inspection of a house before buying or renting. These chapters are not presented in the form of extended discussions but instead are for the most part in the form of outlines, with short terse statements, containing the information or suggestion. Probably very few housekeepers would be so systematic or precise as to follow in detail the full number of suggestions given, but on the other hand probably few intelligent housekeepers

would fail to benefit by using the manual. A good index makes it easy to find any matter treated. The book is strictly what the name implies, a manual.

B. H. HIBBARD.



Salary Standardization in the New Jersey State Government.—This report¹ does not differ materially from the one made last July, by the same group of consultants, on the classification and standardization of the Milwaukee city service. The method and plan of classification and also the specifications governing conditions of employment are very similar to those in the earlier report. This is the first time, however, that the Jacobs' plan of standardization has been applied east of Chicago and to a state civil service.

A number of its recommendations are especially worth noting. One is the recommendation that the state legislature create a bureau of personal service standards and records under the jurisdiction of the state civil service commission and set aside not less than \$20,000 for the work of such a bureau. Another significant one is that steps be taken toward the classification and standardization of employments under the several counties and municipalities that have adopted the provisions of the New Jersey civil service act.

A third recommendation reads as follows:

That inasmuch as the compensation ranges and salary rates suggested in the standardization plan presented herewith are based upon normal conditions and changes of employment, and in view of the present abnormal conditions of the cost of living and employment, consideration be given to the allowance of an additional amount of pay in the form of a bonus to be continued during the abnormal period only, particularly to the state employes in the lower grades of service.

J. L. Jacobs and Company also repeat their recommendations made in Milwaukee for free training courses in public serv-

¹ By S. Agnes Donham. Pp. 241. Boston: Little Brown and Company, 1918.

¹ Report on classification and salary standardization of the personal service in the New Jersey state government. Prepared at the request of the New Jersey state civil service commission by J. L. Jacobs and Company. Chicago. November, 1917. 502 pp.

ice administration and for the establishment of a scientific pension system for all employes in the public service within the state.

WILLIAM C. BEYER.¹



Problems of University Bureaus of Municipal Research and Reference.²—The September bulletin of the University of Texas contains a summary of the purposes and results of university bureaus of research and reference, prepared by E. T. Paxton, secretary of the Texas bureau. In a dozen readable pages is summarized what American universities, through research bureaus, are doing to help cities untangle their municipal problems, and to help students get a first-hand knowledge of local government, by publishing and supplying information, advising on technical problems, and occasionally by undertaking actual installations and surveys.

However, it is difficult to review this statement without quarreling with the author as to how far universities should go in their experiments. Mr. Paxton says: "Another avenue of service that too few of the bureaus have developed, is the survey and exhibit." Now, no one questions that a university bureau is entirely within its proper sphere when it tells a city what other communities are doing. But it is entirely possible that a university research bureau is all wrong when it attempts to point out to a particular city where it is falling down on its local problems. Many persons are coming to the conclusion that even the good survey is being overworked unless it is followed up by actual continuous efforts on the job. How far university faculties and their students are equipped to undertake either the initial study, or its follow-up, is a question. Some universities have many facilities; others are woefully lacking. The mere statement that a university makes surveys and exhibits does not mean that it makes them well or gets results from them, which is a true test.

¹ Philadelphia bureau of municipal research.

² By Edward T. Paxton. University of Texas. Bulletin no. 1749. September 1, 1917.

And this criticism applies with equal vigor to any civic organization, university or otherwise, engaged in laying down categorical imperatives about municipal methods.

However, Mr. Paxton has presented his side of the story very well, and no doubt convincingly to the unbiased reviewer.

LENT D. UPSON.



The Springfield Street Railway Company¹ serves the city of Springfield and a number of adjoining suburban cities and towns. Its revenues having been admittedly inadequate to cover operating expenses and taxes and a fair return on investment, the company has applied to the public service commission of Massachusetts for increases in rates.

The report does not show definitely just what the plan of the existing rates is, nor what the proposed changes are. But, apparently, the company has in effect a zone system, with a flat 5-cent fare in each zone, and with liberal overlaps of zones. The proposed changes would evidently cut down the size of the zones materially, would abolish the overlaps, and, except in the central zone in Springfield, would raise the flat rate to six cents. The result would be that, outside of the one 5-cent zone, actual rates would be increased from 20 to 380 per cent. This would work very unequally in the different localities, and in many cases would cause serious hardships.

Mr. Fox urges that the company's financial problem would be solved better through economies of operation than through increases in rates; but that if rates must be increased, they should be changed less arbitrarily. Among the possible economies he suggests especially the following: (1) the use of trailer cars for rush hour operation, (2) one man cars for certain lines with light traffic, and (3) less frequent stops in many streets, with resulting gain in speed and possible reduction in the number of cars operated. He

¹ Report on the Springfield Street Railway Company, Springfield, Mass., to the Public Service Commission of Massachusetts, by John P. Fox. November, 1917. 36 pp.

believes that large additions to revenues might be obtained by encouraging business in non-rush hours through reduction of rates. The general point which he emphasizes, and which should be regarded by all public utilities in these trying times, is that the company should exhaust all possible economies before asking for increased rates.

JOHN BAUER.



The Proportional Representation Review (Franklin Bank building, Philadelphia) for January, 1918, is an exceptional campaign document and should be used widely. The weaknesses of the "block" system of voting are graphically indicated and the method of voting under the Hare system is explained so simply that its complications are being properly forced into the background. This is not saying that the matter could not have been put in more readable form—there are few campaign documents which could not—but as campaign material it compares favorably with most propaganda and is in such form that it can be easily understood by even the casually interested citizen.

That the propaganda of the American Proportional Representation League is doing its work is evidenced by the progress the movement has recently been making. The charter commission of Detroit was more than merely interested after a short discussion with the newly appointed field secretary of the league. Proportional representation was not incorporated in the new Detroit charter, but the fact that after a group of conservative legislators had debated its merits a majority was found to be in favor of it, is gratifying to the friends of the movement. It seems only a question of time until some large city is going to decide that the fundamental principles of proportional representation are sufficiently well understood to become a part of its organic law.

Smaller cities have been less conservative. Ashtabula, Ohio, has held two elections under the proportional representation plan. Kalamazoo, Michigan, will hold its first election shortly. The charter

commission of Flint, Michigan, is said to be committed to the proportional representation program.

LENT D. UPSON.



City Managers' Association.—The first of the papers prepared for circulation among the city managers in accordance with the action taken at Detroit¹ deals with the subject of highway improvement. It is written by C. A. Bingham, city manager of Waltham, Mass., formerly city manager of Norwood, Mass. In introducing this number, Colonel Waite says: "We trust that these articles will be read with interest and that they will meet some of the demands and solve some of the problems which you have on your hands."



"**Municipal War Work**" is the title of a striking pamphlet published as one of the University of Illinois bulletins. It contains the address of Dr. Robert Eugene Cushman before the Illinois municipal league. After describing the types of municipal war work it discusses in considerable detail what the cities are doing at this time in the matter of publicity and education, the mobilization of municipal property and labor, employment and labor supply, relief, charities, health work, distribution and marketing of food, transportation facilities, home defense and law enforcement. Under the general head of co-operation in municipal war work it discusses such subjects as co-operative organization and division of labor.



City Planning Problems in the Reconstruction of French Towns.—Under this title Miss Theodora Kimball, librarian of the school of landscape architecture of Harvard University, has brought together all possible material relating to the problems of reconstruction of destroyed French and Belgian towns. The article has been written in part to make known the availability of this material.

¹ See NATIONAL MUNICIPAL REVIEW, vol. vii, p. 162.

The Utilities Magazine.—Owing to conditions growing out of the war it has been decided to suspend for the present the publication of the *Utilities Magazine*. Arrangements have been made so that if it becomes expedient at any time prior to the regular resumption to issue one or more special numbers it can be done.

✱

Municipal Research.—War conditions have made it necessary to discontinue for the present *Municipal Research*, which has heretofore been issued under the auspices of the New York bureau of municipal research. Special numbers, however, will be issued from time to time in the future but not with any regularity.

✱

The American Society of Municipal Improvements (Charles Carroll Brown, secretary, Bloomington, Ill.) is issuing its transactions in the form of semi-annual pamphlets. These take the place of the proceedings of the annual meeting, which was omitted this year on account of the war.¹

✱

Striking Civil Service Leaflets.—The National Civil Service Reform League is publishing "*a series of useless little pamphlets on how to apply political methods to private business.*"

This satirical title is a pretty good statement of their contents and purpose. The ultimate purpose, it is almost needless to say, is to bring home to the consciousness of the average unthinking individual a realizing sense of the necessity of making democratic government efficient, if it is to continue to exist.

The pamphlets are all short and models of incisive writing. The first, "How to Apply the Spoils System," points out how one can run a business by applying political methods almost as well as before the application at about three times the cost. The second, "How to Increase the Labor Turnover," explains in three hundred words that "Hiring and firing needlessly is expensive but fascinating; the government does it, why not you." The third shows that the military army of the United States is commanded by officers trained for the purpose, while the officers of the civil army are almost entirely untrained, being selected mainly for past political services; yet the military army is dependent upon the civil army. The fourth makes plain that before we can make the world safe for democracy we must make democracy strong for her task.

These pamphlets ought to be a real help in fixing the attention of the public upon the prime cause of the prevalent complaint and criticism of governmental administrative methods.

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Markets

PLEHN (C. C.). The State Market Commission of California. Its beginnings, 1915-1917. (Amer. Econ. Rev., Mar., 1918: 1-27.)

WILSON (F. T.). Municipal markets. (Minn. Municipalities, Feb., 1918: 10-17.)

Motion Pictures

HANSON (DOROTHY). The social significance of the motion picture. 1917. 16 pp. (Lilian Edwards prize essay, N. H. State College.)

Municipal Government and Administration

See also Commission Government, Municipal Research, Public Health, State Government, Statistics.

AMERICAN PROPORTIONAL REPRESENTATION LEAGUE. The fundamentals of P. R. and why P. R. is fundamental. Jan., 1918. 47 pp. (Proportional Representation Review, Fundamentals Issue.)

AMERICAN SOCIETY OF MUNICIPAL IMPROVEMENTS. Transactions . . . for 1917-18. Twenty-fourth year. Nos. 1 and 2. 1918. 89 pp.

Partial contents: The pressing of sewage sludge, by Kenneth Allen (pp. 1-24); The requisites of an equitable street improvement law, by Samuel D. Newton (pp. 28-36); Municipal finance in connection with pavement construction and renewals, by George C. Warren (pp. 44-50); Economical brick pavement, by Maurice B. Greenough (pp. 63-64); Old and new brick pavement construction methods compared and contrasted, by Charles Carroll Brown (pp. 66-69); Brick pavements of the monolithic type, by James C. Travilla (pp. 71-76).

ANON. How our big cities do things. [A series of articles being published in Equity, beginning with the issue for Oct., 1917.]

These "detailed" studies are being made of the present municipal organization of American cities from New York City down to those of 100,000

population. The October issue described New York, Chicago and Philadelphia; Detroit, Boston, St. Louis and Cleveland are covered in January.

— Municipal work and the war. Opinions of Mayors in different parts of the country as to the extent to which municipal public work should be continued next year. (Mun. Jour., Jan. 5, 1918: 11-12.)

— City's charter much altered. Changes amount to revision; complaint bureau is featured. (Detroit News, Feb. 27, 1918: 14.)

A brief account of the proposed changes in the Detroit City charter, to be voted upon in June.

CITY CLUB OF MILWAUKEE. Organization of the Common Council. Feb., 1918. 6 pp. (City Club Bul. no. 4.)

A discussion of the alternative plans voted on in the April election. It includes a table showing the organization of the council in various cities.

CIVIC ASSOCIATION OF RICHMOND. Summary of recommendations, including chapter on organization, from Report of a survey of the city government of Richmond, Va. Prepared by the Bureau of Municipal Research, New York City. 1917. 80 pp.

D. R. Anderson is secretary of the Civic Association.

DENVER. CITY AND COUNTY. CITY SERVICE BUREAU. Denver the distinctive. [1918.] [8 pp.], chart, tables.

INDIANAPOLIS CHAMBER OF COMMERCE. The government of the city of Indianapolis, Ind., and of Marion County. Survey report. Prepared by the Bureau of Municipal Research, New York City. 1917. 568 pp., charts, tables, forms.

McBAIN (H. L.). American city progress and the law. 1918. 269 pp.

A publication of the Columbia University Press, containing the substance of a series of lectures given at Cooper Union in February and March, 1917.

The question which Professor McBain attempts to answer he states as follows: "In what respects does the law as it now stands facilitate or obstruct the city in its endeavor to apply this or that new policy to the solution of an existing problem?"

Contents: Home rule by legislative grant; Breaking down the rule of strict construction of municipal powers; Expanding the police power—smoke and billboards; City planning—building heights and zoning; City planning—excess condemnation; Municipal ownership of public utilities; Control over living costs; Municipal recreation; Promotion of commerce and industry.

MACGREGOR (F. H.). Municipal coal yards. April, 1918. 17 pp. typewritten. To be printed as Municipal Reference Bulletin no. 4, of the University of Wisconsin, University Extension Division.

MADRAS (PRESIDENCY). Laws, statutes, etc. The Madras district municipalities act, 1884. (As modified up to 1st July, 1917.) 1917. 190 pp.

MILWAUKEE CITIZENS' BUREAU OF MUNICIPAL EFFICIENCY. A discussion of the referendums relating to the reorganization of the Common Council Feb., 1918.

[7 pp.] (Co-operative Citizenship, Bul. no. 8.)

PHILADELPHIA CHAMBER OF COMMERCE. Philadelphia, its location, commerce, industries, history and points of interest. 1917. 48 pp. illus.

TOLEDO. Annual reports, 1917. 1918. (Supplement, Toledo City Journal.)

The city of Toledo, Ohio, like Columbus, Ohio, is this year issuing the annual reports of its municipal departments in successive issues of Supplements to its City Journal.

Municipal Research

See also Education.

HYDE (D. W., JR.). A list of state leagues of municipalities. (Texas Municipalities, Jan., 1918: 11-15.)

PAXTON (EDWARD T.). Problems of university bureaus of municipal research and reference. (Univ. of Tex. Bul., Mun. Res. Ser., Sept. 1, 1917: 22-35.)

UNIVERSITY OF ILLINOIS. Proceedings of the fourth annual convention of the Illinois Municipal League held at the University of Illinois, December 6-7, 1917. 1917. 152 pp. (Univ. of Ill. Bul.)

UNIVERSITY OF TEXAS. BUREAU OF MUNICIPAL RESEARCH AND REFERENCE. Second biennial report, 1915-1917. Sept., 1917: 4-21. (Univ. of Tex. Bul., Mun. Res. Ser. no. 16.)

Pavements

See also Accounting.

ANON. Street paving during 1917. Annual presentation of data concerning paving done by cities, furnished specially for these tables by officials of six hundred cities—amount, construction details and cost of pavements—paving materials locally available. (Mun. Jour., Feb. 16, 1918: 131-146, 148.)

FISK (C. H.). Concrete roads as a solution to our national transportation problem; their construction, maintenance and development. (Engrs'. Club of St. Louis, Jour., Nov.-Dec., 1917: 328-347.)

ONTARIO. DEPARTMENT OF PUBLIC HIGHWAYS. Report on street improvement, Ontario, 1917. 1917. 200 pp. illus. (Appendix to annual report.)

[TEEDALE (C. H.).] Wood-block pavement failures of southern cities analyzed. Bituminous filler found to give uniformly good results regardless of method of treating timber—sand cushion and filler deficient. (Engrg. News-Record, Feb. 14, 1918: 307-310.)

[UPHAM (C. M.).] Recent developments in the construction of bituminous and concrete pavements. (Engrg. and Contracting, Mar. 6, 1918: 244-246.)

Abstract of a paper presented Feb. 7, 1918, at the 15th annual convention of the American Road Builders' Association.

[WARREN (G. C.).] Financing pavement construction and renewals, as illus-

trated by Utica and Portland. (Engrg. and Contracting, Feb. 6, 1918: 148-151.)

YOUNG (A. A.). Improper drainage the cause of most highway failures. No hard surface should be constructed until entire road has been under constant maintenance long enough to indicate weak spots. (Engrg. News-Record, Mar. 21, 1918: 543-546. illus.)

Pensions

CITIZENS RESEARCH LEAGUE OF WINNIPEG. Pensions to civic employes. [1918.] 12 pp. (Bul. no. 6.)

Compares Winnipeg's existing system with the plan in a proposed ordinance based on the recommendations of Professor Mackenzie, a recognized Canadian authority on pensions.

NEW JERSEY. PENSION AND RETIREMENT FUND COMMISSION. Report of the commission, appointed under joint resolution approved March 29, 1917. Feb., 1918. 20 pp.

Report. Part 1, A statement of the contents of an Act for the establishment of a retirement system for employes of the State of New Jersey; Part 2, An estimate of the probable cost to the employes and the state of the proposed retirement system. Jan., 1918. 16 pp. (N. J. [periodical], Dec., 1917, supplement.)

Periodical Publications

See also Municipal Government and Administration.

Municipal Facts. v. 1, no. 1, Mar. 1918. A new periodical published by the City and County of Denver. The first issue is the "Organ Number," devoted to Denver's Auditorium and new municipal organ.

Police

See also Civil Service.

DETROIT. POLICE COMMISSIONER. Story of the Detroit Police Department, 1916-17 (twelve months ending June 30, 1917). Prepared under the direction of James Couzens, Commissioner of Police. 1917. 340 pp.

Ports and Terminals

ANON. Port terminals for war transportation being built—contain large standardized timber warehouse units and open storage spaces—filled from cars or trucks and emptied by tractor-trailers to ships. (Engrg. News-Record, Mar. 7, 1918: 462-464. plans, diagrs.)

GALVESTON COMMERCIAL ASSOCIATION. Galveston, the port: a short historical and statistical résumé. Its present terminal facilities and opportunities for future development. 1917. 16 pp. illus. (Treasure Island Log, April, 1917.)

HOOVER (A. P.). The development of the industrial section. 1918. 11 pp.

A plea for "industrial preparedness."

— The industrial terminal and its relation to the city plan. 1918. 12 pp.

NEW YORK STATE. New York, New Jersey Port and Harbor Development

Commission. Preliminary joint report, transmitted to the [New York] Legislature, Feb. 18, 1918. Albany, 1918. 30 pp.

Report of the commissions created by the legislatures of New York and New Jersey in 1917 to act jointly in the investigation of port conditions at the Port of New York and to submit recommendations for (1) a proper policy for the best interests of the entire port and (2) the necessary state and federal legislation to make their recommendations effective. The two commissions have sat as a joint commission.

Public Health

See also Food Supply, Lighting, Schools.

CANADA. FOOD CONTROLLER. Report of the Milk Committee appointed by the Food Controller for Canada, to investigate milk supplies for urban municipalities; including a plan for the reorganization of milk distribution. Nov. 24, 1917. 20 pp.

HATHAWAY (WINIFRED). Saving sight a civic duty. A demonstration by the Public Health Department of Buffalo of how a typical city conserves the vision of its future citizens. Dec., 1917. 61 pp., plates. (Nat. Committee for the Prevention of Blindness. Pub. no. 13.)

HUBBARD (S. D.). Control of communicable diseases in the City of New York. (N. Y. Med. Jour., Feb. 16, 1918: 303-306.)

NEW YORK ACADEMY OF MEDICINE. PUBLIC HEALTH COMMITTEE. Malnutrition among school children; a study [with recommendations]. (Med. Record, Feb., 1918: 311-318.)

NEW YORK CITY. DEPARTMENT OF HEALTH. What we are doing to prevent tuberculosis among children, by L. I. Harris. Feb., 1918. 6 pp. (Reprint ser. no. 67.)

— The functions of a municipal sanatorium. A policy that would control a group of sputum-positive consumptives not now reached by any preventive measure, by C. B. Slade. Jan., 1918. 8 p. (Reprint ser. no. 64.)

RACE (JOSEPH). The examination of milk for public health purposes. 1918. 224 pp.

Author is chairman of the Committee on Standard Methods of Analysis of the Canadian Public Health Association.

ROVINSKY (ALEXANDER). State examinations and treatment for eye disease in school children. Nov., 1917. 17 pp.

SMITH (J. A.). Popular co-operation and responsibility in public health work. (Med. Times, Feb., 1918: 36-39.)

STEWART (A. E.). Public health nursing and tuberculosis. (Amer. Jour. of Tuberculosis, Feb., 1918: 374-378.)

TOLEDO. The Toledo Division of Health. Report of an investigation conducted by the Commission of Publicity and Efficiency. March 9, 1918. 11 pp. (Supplement to the Toledo City Journal.)

UNITED STATES. PUBLIC HEALTH SERVICE. State laws and regulations pertain-

ing to public health, 1916. 1917. 237 pp. (Reprint no. 406.)

_____. Directory of city health officers; containing the names and official titles of the health officers of cities having a population of 10,000 and over in 1910. 1917. 12 pp. (Reprint no. 416.)

_____. Public health administration in Springfield, Ohio, by Carroll Fox. 1917. 25 pp. (Reprint no. 417.)

_____. The notifiable diseases. Prevalence during 1916 in cities of 10,000 to 100,000. 1917. 34 pp. tables. (Reprint no. 421.)

_____. Public health administration in Quincy, Ill., by Carroll Fox. 1917. 16 pp. (Reprint no. 427.)

_____. Municipal ordinances, rules and regulations pertaining to public health [adopted by cities of over 10,000 population during], 1916. 1917. 297 pp.

_____. Stream pollution. A digest of judicial decisions and a compilation of legislation relating to the subject, by S. D. Montgomery and E. B. Phelps. 1918. 408 pp. (Pub. health bul. no. 87.)

WINSLOW (C.-E. A.). Handbook of health in war and peace. A manual of personal preparedness. 1917. 51 pp. (Amer. Museum of Natural History.)

WYNNE (S. W.). Illness census. (N. Y. City Dept. of Health, Monthly Bul., Jan., 1918: 1-17. tables.)

Public Safety

PUBLIC SAFETY COMMISSION OF CHICAGO AND COOK COUNTY. Annual report [for 1917] and diagram of four years' work for safety [1913-17]. 1918. 8 pp., folder.

Public Service

See also Civil Service.

CLARK (EVANS). Working conditions in labor class, Department of Street Cleaning [New York City]. Jan., 1918. 5 sheets, typewritten. (Socialist Aldermanic Delegation, Bur. of Investigation and Research.)

DETROIT BUREAU OF GOVERNMENTAL RESEARCH. Report on business procedure of the Board of Health, City of Detroit. Feb., 1918. [18 pp.], typewritten.

A study of organization and business methods, not of the quality of work performed. Considerable attention is given to purchasing methods.

[SWAAB (S. M.).] The position of the engineer in the community and his relations to the contractor. (Mun. Engrs. Jour., Jan., 1918: 24-30.)

Reprint from Proceedings of the Engineers' Club of Philadelphia, Sept., 1917.

Public Utilities

See also Central Heating, Lighting, Municipal Government, Street Railways.

ANON. Mileage of private and state railways of the most important countries of the world. (Mileage figures for 1913.) (Utilities Mag., Jan., 1918: 12-13.)

GRUNSKY (C. E.). Going value as an element in fixing public utility rates. (Jour. of Electricity, Feb. 1, 1918: 136-138.)

GUERNSEY (NATHANIEL T.). The financing of public utilities. (Scien. Monthly, Mar., 1918: 230-236.)

The author is general counsel for the American Telephone & Telegraph Co., New York City.

[SPITZGLASS (J. M.).] Three-charge system the highest development in public utility rate making. (Amer. Gas Engrg. Jour., Mar. 23, 1918: 269-272.)

Paper presented at the annual convention of the Illinois Gas Association, held in Chicago, March 20, 1918.

Purchasing

See also Public Service.

NEW YORK STATE. COMMISSION TO INVESTIGATE THE METHODS OF PURCHASING MATERIALS, SUPPLIES, ETC. Report, Feb. 4, 1918. 1918. 9 pp.

Recommends a centralized purchasing system for the state modelled upon that now in use by the Federal government at Washington, acting through the General Supply Committee.

SMALL (G. S.). Organizing a purchasing department. Purchasing is not gambling in materials, but is an important function in manufacturing. (Indus. Management, Mar., 1918: 228-231.)

Recreation

ABEKEN (R. H.). Municipal athletics. (Parks and Recreation, Jan., 1918: 47-50. illus.)

Describes the organization and control of games in public parks of St. Louis; "those other than reached by the children's playground."

ROSS (E. A.). Adult recreation as a social problem. (Amer. Jour. of Sociology Jan., 1918: 516-528.)

ST. LOUIS. CITY PLAN COMMISSION. Recreation in St. Louis. Nov., 1917. 48 pp., plates.

"These studies cover a period of several months and constitute as careful an analysis as could be made on the actual supply and demand."

Refuse and Garbage Disposal

PROVIDENCE. CITY COUNCIL. Report of the Joint Committees on Finance and Health relative to investigation to date on the question of the disposal of garbage and ashes. 1917. 10 pp.

Reviews briefly the practice in the cities of Buffalo, Cleveland, Columbus, Chicago, Milwaukee, Minneapolis, Detroit, and Denver.

SCHIEFER (H. V.). New York city has largest and best garbage-reduction works. (Engrg. News-Record, Mar. 21, 1918: 555-561. illus.)

An article which has many informing photographs.

UNITED STATES. DEPARTMENT OF AGRICULTURE. Disposal of city garbage by feeding to hogs, [by] F. G. Ashbrook and J. D. Bebout. Dec., 1917. 8 pp., plan. (Circular no. 80.)

Schools

See also Accounting, Public Health.

ANON. Government policies involving

the schools in war time. (Survey, Mar. 9, 1918: 626-628.)

A document signed by the Secretaries of War, the Navy, and of the Interior, and approved by other officials.

BAKER (S. J.). Classroom ventilation and respiratory diseases among school children. (Amer. Jour. of Public Health, Jan., 1918: 19-26, tables.)

CLARK (EVANS). Outline of data of school lunch service. Jan., 1918. 10 pp., typewritten.

The author is Director of the Bureau of Investigation and Research of the Socialist Aldermanic Delegation of the New York City Board of Aldermen.

UNITED STATES. BUREAU OF EDUCATION. The public school system of San Francisco, Cal. A report to the San Francisco Board of Education of a survey made under the direction of the United States Commissioner of Education [P. P. Claxton]. 1917. 649 pp. diags. (Bul., 1917; no. 46.)

Sewerage and Sewage Disposal

See also Public Health.

ANON. Sewage treatment at Manchester [England]. Activated sludge research work. (Surveyor and Mun. and Cy. Engr., Jan. 4, 1918: 4-5.)

DUNLAP (J. H.). Operation of sewage works in Iowa. (Mun. Jour., Mar. 30, 1918: 255-257.)

To be continued in later issues.

GERHARD (WILLIAM P.). The A-B-C of sanitary house drainage. 1918. 19 pp. illus.

GREGORY (C. E.). The care of sewers [in the Borough of Manhattan]. (Modern City, Jan., 1918: 28-33.)

HOFFMANN (ROBERT). Cleveland's sewerage system. (Cleveland Engr. Soc., Jour., Jan., 1918: 209-224. map, charts.)

MCGRANE (W. S.). Influence of city zoning on sewage flow assumptions, using floor area basis. (Mun. Engrs. Jour., Feb., 1918, Paper 115. illus., diagr.)

TRIBUS (L. L.). Sewers: when to build and how to pay. (Mun. Engrg., Feb., 1918: 65-67.)

State Government

See also Commission Government, Municipal Government and Administration, Public Health.

ANON. [The "manger plan" for state government.] (Equity, Jan., 1918.)

An extended editorial comment on the scheme as proposed for North Dakota.

KETTLEBOROUGH (CHARLES), compiler. The state constitutions and the federal constitution, and organic laws of the territories and other colonial dependencies of the United States of America. 1918. 1645 pp.

VIRGINIA. COMMISSION ON ECONOMY AND EFFICIENCY. Report to the General Assembly. Jan. 9, 1918. 67 pp.

This Commission was created by the 1916 Legislature to investigate and report on greater efficiency and economy for state and local governments.

Statistics

See also Public Health, Vital Statistics.

BAILEY (W. B.) and CUMMINGS (JOHN). Statistics. 1917. 153 pp.

"The value of a knowledge of statistics grows every day in the fields of business, government and social work. Most of the books devoted to its acquirement are either intricate or too extended. This book has been written with the purpose of avoiding these difficulties. Professor Bailey has had before him the needs of social workers for a simple book in the statistical field. . . ."—Editor's preface.

NEW YORK STATE. DIRECTOR OF MILITARY CENSUS AND INVENTORY. A report to Hon. Charles S. Whitman, Governor of the State of New York, [Oct. 20,] 1917. 1918. 87 pp.

WOOD, GUNDY AND COMPANY [Toronto]: Canadian municipal statistics, 1917. 1917. 361 pp.

WYNNE (S. W.). The need of standardizing the statistics of child-caring institutions, founding asylums, etc. (Archives of Pediatrics, Dec., 1917: 939-943.)

Street Cleaning and Snow Removal

BILES (G. H.). Methods of handling snow removal work in Pennsylvania. (Better Roads and Streets, Mar., 1918: 104. illus.)

HUNTER (L. McL.). Snow cleaning and removal in Ottawa. (Canadian Engr., Feb. 14, 1918: 137-138. illus.)

PHILADELPHIA. BUREAU OF HIGHWAYS AND STREET CLEANING. Summary of operations for year 1916. 1917. 174 pp., plates.

Street Railways

ANON: Zone system best for Rhode Island. Special commission finds conditions require central five-cent areas and two-cent intermediate zones—recommends abolition of municipal franchise taxes and of city regulation. (Elec. Ry. Jour., Mar. 23, 1918: 570-573.)

— Increased electric railway fares. Review of the movement to secure additional revenue throughout the United States. What has been done, what is being done and what will be done by transportation utilities. (Area, Feb., 1918: 601-623. illus.)

Followed by a list of electric railways in the United States and Canada which have recently been granted permission to increase their fares or have increased them where such consent was unnecessary.

CITIZENS' RESEARCH LEAGUE OF WINNIPEG. Has the jitney a place? 1918. 2 pp. (Bul. no. 8.)

MASSACHUSETTS. PUBLIC SERVICE COMMISSION. Report on the methods and practices of the Boston Elevated Railway Company . . . to the Public Service Commission . . . [by] John A. Beeler, consulting engineer; Nov., 1917. 1918. 279 pp., maps.

Special report relative to the finances and operating methods of the Boston Elevated Railway Company. Feb., 1918. 91 pp. (House doc. 1240.)

STREET RAILWAY INVESTIGATION COMMISSION. Recommendations and proposed legislation as contained in the report of the commission on the problems relating to the street railways of the Commonwealth. Feb., 1918. 97 pp. (Senate doc. 265.)

This commission was created by the Legislature of 1917 to study problems relating to the supervision, operation, taxation, finance and development of street railways in Massachusetts. The report of the majority recommends a "service-at-cost" plan, accompanied by closer state and local supervision of operation and finances; but several dissenting statements and dissenting reports are appended.

MILLIKEN (E. L.). What the service is worth. (Stone & Webster Jour., Jan., 1918: 16-30.)

A discussion of principles in the regulation of street railway fares.

ST. LOUIS. BOARD OF ALDERMEN. [Proposed ordinance authorizing the United Railways Company . . . to construct, maintain and operate a street railway system upon and along the streets of the City of St. Louis, Mo., until and including April 12, 1948.] Jan. 18, 1918, reported. 38 pp. (Board bill no. 411, sess. 1917-18.)

Taxation and Finance

See also Municipal Government.

BOSTON. MAYOR. Statement of Mayor Peters on bill to increase Boston tax limit (Senate bill no. 263). Delivered Mar. 4 before the Committee on Metropolitan Affairs. (Boston City Record, Mar. 9, 1918: 199-200.)

This bill provides for an increase in the tax limit of the City of Boston of \$3 in 1918, \$2 in 1919, and \$1 in 1920 in order to provide the additional money demanded by war conditions and to improve at once Boston's badly neglected streets. Each year two-thirds of the increase in taxes would be used for maintenance of public services and one-third to execute a comprehensive program of street construction. As a law it would cease to operate at the end of three years. The present tax limit for Boston is \$11.02 per \$1,000, of which the schools receive \$4.50, leaving \$6.52 per \$1,000 for general municipal purposes.

DARBY (W. R.). Nine months' experience with New Jersey's municipal finance laws. (N. J. Municipalities, Mar., 1918: 73-74, 91.)

MASSACHUSETTS. JOINT SPECIAL RECESS COMMITTEE ON FINANCE AND BUDGET PROCEDURE. Preliminary budget plan for financing the commonwealth for the fiscal year 1918. Jan., 1918. 72 pp.

Report on state finances and the budget submitted to the General Court, Jan., 1918. 1918. 85 pp. (House doc. no. 1185.)

The committee recommends the adoption of a budget system—of the executive type. It also recommends a "pay-as-you-go" policy for the

state and a bureau system of classified departments which would eliminate the duplication of effort and expense in connection with the 216 more or less independent departments, boards and commissions which at present exist in the state.

NEW YORK CITY. DEPARTMENT OF FINANCE. Constitutional provisions, legal enactments and court decisions determining New York City's debt within the debt limit; also statement of the constitutional debt-incurring power of the city, as of Jan. 1, 1918. 1918. 20 pp.

MAYOR'S ADVISORY COMMISSION ON ADMINISTRATION OF THE TAX LAW. Report, Dec. 20, 1917. 1917. 107 pp.

NEW YORK STATE. COMMISSION UPON THE RELATIONS OF FEDERAL AND STATE TAXATION. Preliminary report, transmitted to the Legislature Jan. 9, 1918. 1918. 10 pp.

NEW YORK TAX REFORM ASSOCIATION. The bill to limit rate on real estate and tax all personal property in the City of New York. March 8, 1918. [3 pp.]

OHIO. AUDITOR OF STATE. Ohio public debt in relation to taxation and tax limitations. 1917. 76 pp.

A pamphlet constituting advance excerpts from the Annual Report of the Auditor of State for the fiscal year ended June 30, 1917.

Ohio public debt. Its creation, redemption and limitations. Dec. 1, 1917. 2 pp. folio.

PERRY (J. E.). Practical working of the Massachusetts income tax. 1917. 24 pp.

PHILADELPHIA BUREAU OF MUNICIPAL RESEARCH. The question of excess reserves in the sinking fund [of Philadelphia]; some official statements thereon. Dec. 13, 1917. 7 pp. (Citizens' Business. No. 290.)

SWAN (H. S.). Limitations on the tax rate. (Nat. Tax Assoc., Bul., Feb., 1918: 118-119.)

YONKERS BUREAU OF MUNICIPAL RESEARCH, INC. Financial facts which should be of interest to the citizens of Yonkers. March, 1918. 24 pp. (Rept. no. 9.)

ZANGERLE (J. A.). Untaxed wealth of Cleveland and why. An exposition of the difficulties of administering the general property tax laws of Ohio in Cuyahoga County. [1918.] 66+pp.

The author of this pamphlet is auditor of Cuyahoga County.

ZOBEL (F. C.). Some effects of "single tax" on real estate. Psychological composition of our people partly responsible for the widespread influence of the doctrine. (Record and Guide, Jan. 26, 1918: 99-100.)

Traffic

ENO (WILLIAM P.). One-way and two-way street traffic. (Motor Travel, Nov., 1917: 15-16.)

HILL (CURTIS). Traffic ways. (Nat. Conf. on City Planning, Proceedings, 1917: 60-63, plan.)

[LENTH (G. C. D.).] Make \$35,000 traffic census in Chicago Loop. Maximum hourly record 1142 vehicles—double-deck street will separate fast and slow traffic—automobiles are used mainly for business. (Engng. News-Record, Feb. 7, 1918: 254-256. diagr., tables.)

Abstract of paper read before the Western Society of Engineers.

LEWIS (N. P.). Street widening to meet traffic demands [with discussion]. (Nat. Conf. on City Planning, Proceedings, 1917: 43-59; 67-78.)

MERCHANTS' ASSOCIATION OF NEW YORK. Summary of laws and ordinances applying to streets and public places in the City of New York, and the duty of police officers and citizens in connection therewith. Revised to Jan. 1, 1918. 1918. 80 pp.

SACRAMENTO. Ordinances. An ordinance regulating travel and traffic upon the streets and other public places. . . . Passed April 5, 1917. (Official Gazette, Feb. 4, 1918: 5-9.)

WITT (PETER). Report of Mr. Peter Witt, traffic expert, employed by the City of Trenton, N. J. [relative to the street railway situation]. Jan. 12, 1918. 1 sheet.

Vital Statistics

DUBLIN (L. I.). The significance of the declining birth rate; address, section I, social and economic science, American Association for Advancement of Science. Dec. 29, 1917. 8 pp.

NEW YORK CITY. DEPARTMENT OF HEALTH. Practical uses of vital statistics, by Shirley W. Wynne. Feb., 1918. 10 pp. (Reprint series no. 66.)

Water Works

CHICAGO BUREAU OF PUBLIC EFFICIENCY. The water works system of the City of Chicago. Dec., 1917. 207 pp., plates.

Special attention is paid in this report to the question of metering.

HAZEN (ALLEN). Meter rates for water works. 1918. 217 pp. diagrs.

"This book deals with the problem of distributing the burden of supporting a water-works system among those who use the water, in a just and equitable manner. It also deals with the technic of handling the statistics that must be used, of making the required computations and of estimating the revenue that will be produced by a given set of rates.

KEITH (E. H.). Tuberculation, incrustation and sedimentation of water

mains. (Nat. Fire Protection Assoc., Quarterly, Jan., 1918: 262-281. illus.)

Welfare Work

See also Child Welfare, Feeble-mindedness, Housing.

ALAMEDA COUNTY (CAL.). Survey of social agencies of Alameda County, Cal. (based on 1915-1916 reports). Prepared by Jean H. McDuffie for the Board of Public Welfare and published at its request by the Board of Supervisors. Edited by Porter Garnett. 1917. 56 pp. maps.

CONGRESS OF HUMAN ENGINEERING. [Proceedings of meeting at Columbus, Ohio], Oct. 26, 27, 28, 1916. 1917. 160 pp. (Ohio University Bul., Jan., 1917.)

GENERAL ELECTRIC COMPANY. General Electric Company's medical service and hospital [at Schenectady, N. Y.]. [1918.] 12 pp., plates.

Women, Employment of

See also Correction.

MASSACHUSETTS. MINIMUM WAGE COMMISSION. Wages of women in muslin underwear, petticoat, apron, kimono, women's neckwear and children's clothing factories in Massachusetts. May, 1917. 58 pp. (Bul. no. 14.)

—. Wages of women in shirt, working men's garment and furnishing goods factories in Massachusetts. December, 1917. 58 pp. (Bul. no. 15.)

Workmen's Compensation

OHIO. INDUSTRIAL COMMISSION. A survey of the workmen's compensation insurance field in this country, by E. E. Watson. Dec., 1917. 1918. 93 pp.

Refers especially to the operation of the Ohio State Insurance Plan, "now the largest carrier of workmen's compensation insurance in this country." Tables give the insurance rates of Ohio and nine other states for a great variety of occupations.

Zoning

See also Sewerage and Sewage Disposal.

AMERICAN CITY. DEPARTMENT OF INFORMATION. Present status of districting legislation; [also] Court findings in re-districting legislation. 1918. 5, 2 pp., typewritten. (Special rept. no. 57, 60.)

CHENEY (C. H.). Districting progress and procedure in California. (Nat. Conf. on City Planning, Proceedings, 1917: 183-194.)

PURDY (LAWSON). Districting and zoning of cities. (Nat. Conf. on City Planning, Proceedings, 1917: 170-182.)

ST. LOUIS. CITY PLAN COMMISSION. Zoning for St. Louis a fundamental part of the city plan. Jan., 1918. 30 pp., plates.

NOTES AND EVENTS

I. GOVERNMENT AND ADMINISTRATION

Minnesota's So-called City-Manager Law.—In the heap of measures which the 1917 legislature made in its last days, Minnesota found a "city-manager law."¹ There had been no noticeable demand for this law or for any law on the subject. Minnesota has constitutional provision for home-rule charters, under which three cities are enjoying the city-manager form.²

The law is an optional legislative charter applicable in, upon adoption by, cities of the fourth class, that is, cities having not more than ten thousand population at the time of the last census. The council of any such city may, or upon petition by 20 per cent of the number of voters voting at the last preceding election must, submit the act to the voters, at either a general or a special election. It may be adopted or defeated by a majority of those voting upon the question. There is no provision for amendment or repeal by the people.³

The act would make no change in the judicial and legislative organization of a city which might adopt it, and would leave the departments of police, fire, and

health, and the library (including library buildings and grounds) to be governed as before. Other activities of the city would be grouped into two categories; viz.: (1) *public utilities*, including electric light, heat, and power works, water works, gas works, ice plants, stone quarries and crushing works, telephone systems, public markets, public slaughtering establishments, creosoting and other paving works, and sewer systems, and (2) *public improvements*, including city halls, lockups, fire department buildings, streets, alleys, public ways, sidewalks, curbs, gutters, paving, parks, and all other public grounds and works thereon or therein (not including library grounds and buildings), and all public buildings and structures other than libraries not hereinbefore specifically mentioned.

For the management of public utilities and public improvements the act provides that there shall be elected (at large, it seems) a civil service commission consisting of one member for each four hundred population, but in no case of less than nine nor more than fifteen members, to serve for a term of two years.

It is made the duty of the civil service commission to ascertain the duties of and fix grades for each office or position in the public utilities and public improvement services, to prescribe standards of efficiency for each grade and position, to keep efficiency records, to recommend and alter salary scales, and to make, amend, and alter rules to promote efficiency in the city service. These provisions appear not to apply to positions in the police, fire, and health department, nor in the library though the law is not at all clear upon the point. Its provisions, rather confused and contradictory, do require the mayor or other employing authorities to report dismissals to the commission.

¹ Minnesota Session Laws of 1917, chapter 358.

² It may be remarked that certain other cities have been deterred from adopting the city-manager form by an adverse opinion of the attorney-general. The matter has never been taken to court, but few municipal attorneys think that this opinion would be upheld.

³ A home-rule charter must have the affirmative vote of four-sevenths of those voting at the election at which it is submitted for its original adoption, and may be amended only upon a proposal by a charter commission, adopted by the affirmative vote of three-fifths of those voting at the election. The statute suggests that Minnesota might have a second and less onerously obtainable variety of home-rule cities by extending this optional legislative charter to all municipalities and adding the privilege of popular amendment by simple majority of those voting on the question. The state's municipal situation seemed complex before this act was contemplated. Now the possible intricacies appear in more than infinite variety.

The civil service commission elects, for terms of one year unless sooner removed, a public utilities board of three, two of whom may be members of the civil service commission, and who must serve without pay. The third, selected upon the recommendation of those two, is the city manager, who may be selected without regard to residence, and who becomes *ex officio* city engineer, city surveyor, and street commissioner, and may be made assistant secretary of the civil service commission, and, if otherwise qualified, is eligible to the elective office of city clerk. His compensation is fixed by the civil service commission. At the end of any month the other two members of the public utilities board may remove him in the best interests of the city service, and make a temporary appointment, at a reduced salary, of a person with less than the prescribed qualifications, who can act as city manager not to exceed four months on such appointment.

Subject in all things to the direction of the public utilities board and to the rules of the civil service commission, the city manager is to perform the duties of his positions *ex officio* and to be superintendent of all public utilities and public improvements, and to perform all such other and not inconsistent duties which may be required of him by the two superior bodies. He is the employing and discharging agent in the public utilities and public improvement services, subject to the rules of the commission and the supervision of the board.

All money derived from the operation and management of any public utility or public improvement is under the exclusive control of the public utilities board, and may be expended at the discretion of the board without submitting estimates or asking authorization from the council. The council may not appropriate any money for expenditure on any public utility or public improvement until a detailed estimate and request has been submitted by the public utilities board. Once the money is appropriated it is under the exclusive control of the board, but may not be spent except for

the items for which the appropriation was made. The city treasurer is treasurer of the board, and must keep the funds under its control in a separate account.

The city-manager plan has been and is being considered by virtually every recent charter commission in the state, and rarely does not meet with favor from the commission. No city has as yet adopted the city-manager act outlined in this note, nor has any city voted on it, or been reported as considering it.

E. L. BENNETT.



Additions to the Commission-Manager Field.—Michigan appears to be determined to hold its place at the head of the commission-manager list of States. It started out the year with thirteen city managers and the following new cities are now in the market for trained executives under commission-manager charters: Birmingham, Kalamazoo, Muskegan Heights, Otsego, Royal Oak, and Three Rivers.

Salary Increases for Managers.—Salary increases have been reported for many of the city managers among whom are, R. Stuart Royer, Fredericksburg, Va.; J. G. Barnwell, Rock Hill, S. C.; E. S. Schuler, Sumter, S. C.; T. J. Murphy, High Point, N. C.; R. V. Orebaugh, Westerville, Ohio; A. L. Sloman, Albion, Mich.; Walter Willits, Big Rapids, Mich.; R. D. Tripp, Petoskey, Mich.; T. A. Wilson, Clarinda, Iowa; T. W. Watson, Glendale, Cal.; T. A. Wright, Collinsville, Okla.

City Manager Changes.—George M. Zimmerman, formerly city treasurer, has been appointed city manager of *Sandusky, Ohio*, at a salary of \$3,600, succeeding George T. Lehrer who served as manager for one year and whose resignation became effective April 1.—*Norwood, Mass.* has chosen as its new manager, William P. Hammersley, a civil engineer with considerable experience in highway construction, succeeding Clarence A. Bingham who has been promoted to Waltham, Mass. His salary is \$3,000.—*W. O. Dyer* has succeeded P. T. McDonald as city manager of *Johnson City, Tenn.*, at a

salary of \$1,500.—E. P. Low is the new city manager of *Brownwood, Texas*. He was appointed in March at a salary of \$2,400, succeeding W. E. Dickerson who recently resigned.—O. S. Yager is "city superintendent" of *Baton Rapids, Mich.*, a position formerly held by Fred Moore who in turn succeeded I. R. Ellison. Mr. Ellison is now city manager of *Grand Haven, Mich.*—J. E. McDaniel has resigned as manager of *Montrose, Colo.*, after serving two and one half years. His successor is Cassius C. Smith.—W. E. Anderson is now city manager of *Brownsville, Texas*.

HARRISON GRAY OTIS.

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City Manager Plan Needed in Harrisburg.—Harrisburg, the capital city of Pennsylvania, in which within the past fifteen years have been worked out conspicuous examples of city planning, forethought and wise municipal progress, has recently passed through a serious crisis in its water supply which points the need of more definite business government than seems possible under the Clark act, which in Pennsylvania imposes upon cities of the third class five councilmen, paid such salaries as will insure respectable mediocrity.

The Harrisburg improvement movement referred to above touched the water situation only in respect of filtration, which was admirably accomplished. The old civilian unpaid water board carried on its control of the pumping, the pipe lines and the plant in general. In November, 1917, the largest pumping engine broke down. Faulty records made the getting of the necessary repair parts painfully slow. Meanwhile a short-term court-appointed "superintendent of public safety" (as is the Clark-act designation of the councilman who handles the water department), who was filling out a vacancy and was not a candidate for re-election, was disinclined to take any drastic action. He "passed the buck." A successor to him was elected, also to fill out the balance of an unexpired term of several months. This excellent gentleman, wholly unacquainted with mechanics and machin-

ery, soon became aware that he had trouble on his hands, but he did not know where it was. He was not a candidate for re-election, and he "passed the buck" to the new man who came in about January 1, who was also wholly unacquainted with mechanics and municipal water-supply work. The older reserve pumps were working away and providing an unsafe daily average, thoughtless administration having failed to secure reservoir storage facilities for more than two days' net supply.

Inasmuch as the vicious practice has long prevailed in Harrisburg of selling water in large quantities at less than the cost of pumpage, even when the latter was guessed at, no particular comment was excited when two large industrial users suddenly quadrupled their demand, due to breakage in their own water machinery. It was cheaper for them to buy water from the city than to hurry repairs. They took, between them, for a number of days, more than 40 per cent of the city's pumping. The water dropped rapidly in the reservoir, but no alarm was expressed until at a budget meeting held in December, to which certain citizens invited themselves, a chance question asked the superintendent brought out the fact that the repairs to the big engine were far distant and that while he had vaguely considered buying an emergency electric pump, he had not gotten any further than to ascertain the names of people who might possibly have such.

By the next week the situation was so serious that the superintendent of public safety called in a body of citizens, who insisted on the presence of the council, and then took the matter out of the hands of the authorities. In a business-like way they arranged to shut off excessive consumption, to speed up repairs, to get emergency supplies from various directions, and to purchase and install an electric pump. In five days of this handling the balance of things was changed and the water began to mount in the reservoir.

Late in February the repairs to the

large pump which broke down early in November were completed, and the situation is now safe, at least for the time being.

In the shuffle it was brought out by one of the interested citizens that a proposed increase in water rates had been figured up without any reference at all to the cost of water. The newly installed commissioner of public safety cheerfully accepted the offer of the municipal league of Harrisburg to propose an expert who would determine what the rates ought to be. This expert was secured during the emergency to suggest means of increasing pumpage, and retained to study the question of rates.

The point is made that despite the best intentions on the part of the five councilmen, the utter absence of centralized and definite authority, the utter absence of engineering knowledge on an engineering problem, the utter absence of reasonable cost knowledge and rate ethics, the utter absence of foresight for a city the growth of which has been beyond the average growth of the United States for twenty years, a most serious emergency came into existence which could only be met by the extra-official process of putting real business men accustomed to administration on the job. A capable, far-seeing, well-paid city manager would have served Harrisburg in this emergency to an immense economy and an immense advantage. In fact, it is possible that there never would have been the emergency, because it would have been impossible for the combination of an accidental break and an unreasonable and unwarned draft upon the city's water supply, at prices less than the cost of pumping, to have happened together.

J. HORACE MCFARLAND.



The Detroit Charter.—The present charter dates from 1857 with a partial revision in 1883. The last attempt at a general revision was four years ago, at which time a large commission elected by wards made so many radical changes in the present document that the proposal

was overwhelmingly defeated. Since that time it has been commonly believed that no general revision of the charter would be accepted by the public, inasmuch as all conflicting elements could not be reconciled. Recently, however, legislation was secured which permitted the election of a nine-member charter commission chosen at large. Advantage was immediately taken of this opportunity, and, with the choice of a commission, the public expressed by a two to one vote its preference for a small council chosen in the same manner on a non-partisan ticket.

A conservative, but capable, commission was selected generally to revise the much amended charter and they have worked on the theory that no important changes should be made which had not been previously ratified by the public, leaving other matters to be determined by piecemeal amendment. In consequence their activities have been practically those of a codifying commission, eliminating many conflicting sections from the present charter, cutting out useless verbiage, and making plain the duties and field of work of each of the several departments. Since the general background of the old charter has been closely adhered to, and no serious changes introduced which have not been approved by the public, it is generally believed that the new charter will be acceptable, and that it will serve as an excellent basis for future amendment.

The new charter provides for a legislative body consisting of nine members, elected at large on a non-partisan ticket, after a non-partisan primary. Several of the charter commission and a considerable part of the thinking public were in favor of proportional representation, but it was believed inadvisable to incorporate this provision without a previous educational campaign. Without a doubt, this question will be raised in the near future. The departmental organization of the city remains practically the same, that is, under the supervision of boards appointed by the mayor. The only exceptions are the office of the city controller, park com-

missioner, corporation counsel, public works commissioner and police commissioner, which have been administrated by one-man commissioners for some time.

The authority of the mayor has been strengthened by permitting him to frame the budget with the approval of the common council.

Aside from these changes, the other modifications have been of an administrative nature, which will hardly arouse any considerable opposition. Large control over the public funds and appropriations has been secured through a modification of the appropriation sections. A department of purchases and supplies has been created, which will buy for practically all city departments under standard specifications. Pre-billing and mailing of tax bills is to be required. The police department has been strengthened by the appointment of three permanent deputies, which was really an experiment in police administration. To take care of the functions now performed by the two aldermen elected by wards, who are readily accessible to their constituents in the matter of complaints, a bureau of complaints has been created in the office of the city clerk. This bureau is required to record every complaint and secure action thereon within five days. If action is not secured, a report on such failure must be made to the mayor or the common council and the department head concerned becomes subject to reprimand or dismissal.

From the point of view of the student of government, little has been incorporated in the new Detroit charter which will be of interest. It is really a codification of the old document, plus a small council elected at large. However, the statutes make easy its amendments and it is expected that with a common council of a different character from the present one, many amendments will be made in the future. Radical changes which thus might endanger the whole document will be considered separately.

LENT D. UPSON.

Milwaukee's Councilmanic Reform.—

The common council of Milwaukee was ordered reduced from 37 to 25 members at the election on April 2 when this question was submitted to referendum. Instead of comprising twenty-five ward aldermen, elected biennially for two years, and twelve aldermen-at-large elected biennially and serving four years the council will consist of twenty-five ward aldermen only, elected for four-year terms. The change will go into effect with the municipal election in 1920 when the six aldermen-at-large who were elected in 1916 will go out of office. The six aldermen-at-large elected on April 2 will be permitted to serve out their terms which expire in 1922.

Despite the objections of many so-called politicians who insisted for years that the people were satisfied with the council arrangement the various civic societies headed by the City club through its charter committee succeeded in getting a bill through the 1917 legislature for a referendum vote on council reorganization. Six forms were submitted at the primary election on March 19 of which the existing system of 37 aldermen was one of those relegated to the scrap-heap. The two questions receiving the highest number of votes were to be re-submitted for final decision at the election.

The two questions thus submitted provided for: (a) council of 18 members consisting of six aldermen-at-large and twelve district aldermen, all aldermen to be divided into groups and each group to be elected at alternate biennial elections for four-year terms; (b) council of twenty-five ward aldermen only elected every four years.

The first of these was known as plan no. 1 and had the support of the city's leading civic and business organizations which combined in a civic advertising campaign. The other plan was supported by the socialist party, by those who for selfish or sincere reasons favored abolishing aldermen-at-large, and by all reactionaries who were opposed to any kind

of reduction but who favored the least reduction when it had been decided at the primaries that a reorganization was to be made. Those favoring the council of eighteen contended that their plan retained whatever merit the other had through permitting local representation and still gave the benefits of city-at-large representation. Because those favoring the ward plan massed their strength for their plan while many voters were indifferent and did not cast their votes on these questions plan no. 2 won out by a majority of 6,917. The vote was 25,250 for the one, and 18,333 for the other.

While the voters did not select the better of the two plans in the opinion of those informed they nevertheless made it possible to reduce the council in size which was gratifying to those who have been advocating a reduction. It brings Milwaukee a step nearer to further reduction to either eighteen or fifteen, all elected at-large by possibly the proportional representation plan on which it is believed members of all parties will finally unite.

W. J. BOLLENBECK.



Richmond's Charter Revision.—In 1911 Richmond was governed by a bicameral council of 64 members, elected from eight wards, and by council committees who supervised the administration of departments. There was of course a mayor who theoretically was a "chief executive" but practically was a social functionary and there were various offices required and regulated by the constitution of the state. Due to complaints of delay and disorganization in the work of the government, the wards were in 1912 reduced to 4, the members of the council to 32, and the administrative departments formerly under council committees placed under a newly created administrative board, composed of five members elected by the people. This arrangement left a commission form of government engrafted on the fiction of a federal plan, with the mayor still a figurehead and the council still bicameral and elected from wards.

In June, 1915 the civic association came into existence and immediately

began agitation for the adoption of a modern form of government, particularly one with executive leadership.

In 1916 some steps in this direction were made by the abolition of the police board and the placing of the department under the mayor and likewise the elimination of the board of health and the placing of the department under the administrative board. In the same year the general assembly made possible the election of a charter commission on the demand of 25 per cent of the qualified voters.

In 1917 the civic association secured authority from the city council for a complete survey of the city government by the New York bureau of municipal research. After four months of investigation the bureau made an exhaustive report of nearly one thousand printed pages. While pointing out no corruption and making no sensational disclosures, it denominated the government as a "headless" or a "triple-headed" affair. It recommended the abolition of the administrative board and the concentration of executive authority under the mayor or a city manager. It further recommended the substitution of a single chamber council for the present bicameral system. A council committee which had been having sessions from time to time for a number of months, received the report as well as other papers. It finally recommended the division of the city's administrative work into six departments, each to be headed by directors, four to be appointed by the mayor and two (finance and law) to be chosen by the council. It further provided for an advisory board to consist of the mayor and the four directors to be appointed by him. It left the council untouched. The association, realizing that these recommendations were far from perfect, but believing their adoption would mean a distinct improvement put its energies behind them. The council and the general assembly passed them and now they are to be voted on at an election to be held in July or August.

The situation is complicated by the fact that the friends of the administrative

board have got up a petition for the election of a charter commission and this also will have to be voted on at a date to be fixed by the council. Regardless of the fate of this second movement, if citizens vote favorably on the council's recommendations as described above these recommendations will be effective January 1, 1919. If a charter commission be authorized by the people, and its work be ratified by the people, ratification by the general assembly in 1920 will still be necessary.

There are therefore several possibilities facing Richmond:—

(1) The council's plan may be rejected. In this case no reform is possible until after the general assembly meets in 1920.

(2) The council's plan may be adopted and also a charter commission authorized and its plan adopted by the people. In this case the council's plan will be effective January 1, 1919 and until such time after the general assembly of 1920 meets as the assembly may appoint as the time for the *commission's* plan to go into effect.

(3) The council plan may be adopted and the charter commission be not authorized or, if authorized, its work be rejected by the people.

Citizens interested in reform may therefore accept the council's recommendations and vote down the commission on the ground that it is impossible to do any better at this time or they may accept the council's recommendation and also attempt to use the commission as a means of securing reforms not included in the council's plan.

If the latter be the attitude of the people, we shall have a temporary form of government from January 1, 1919 for a year or two, and a permanent plan from 1920 or 1921.

In any case it looks as if we shall secure very substantial improvement in the government of Richmond. Our principal task for a while will be making and keeping the rather complicated situation clear to the people.

D. R. ANDERSON.¹

¹Executive secretary, the civic association of Richmond, Va.

San Francisco Abolishes Primaries.—

Primaries have been abolished in San Francisco elections and their place taken by a sworn declaration of candidacy from the aspirant for office, and a preferential system of voting.

The first election under the charter, according to E. A. Walcott, secretary of The commonwealth club of San Francisco, which initiated the change, has convinced the public out there that the plan is fraud-proof. But the preferential vote was used by comparatively few of the voters, which is accounted for by the fact that the plan was new and the people who were not familiar with it were afraid to use the second or third choices.

The preferential vote is different from that which was provided for in Toledo's charter, and which was turned down at the polls a year after it had been established. The plan used in San Francisco is designed to bring about proportional representation of all the various groups in the city, instead of giving a monopoly of power to the majority party as was done formerly. The fact that the greatest number of second choice votes cast for any one man was 798, and the greatest number of third choice votes was 302, shows that the voters failed to see the advantage of indicating more than one choice.

The other feature of the new charter provision requires that each candidate must file a declaration of candidacy and a statement of his qualifications for the office he seeks with the register of voters not more than fifty days before the election. It must contain in fifty words the facts as to the applicant's experience or training in the line of work required by the duties of the office. At the same time he must pay to the register \$20. Within twenty days after this statement is filed, his sponsors, not less than ten nor more than twenty in number, must also file affidavits stating that in their opinion the candidate is "fully qualified, morally, mentally and physically," for the office he wishes to fill.

An official pamphlet, containing a sample ballot, and the declarations

mentioned above, is then published by the register and is distributed to the voters within ten days before the election. The payments made by the candidates go toward the expenses of publishing the pamphlet. A candidate may have a statement of not more than fifty words by paying additional sums. At the close of the polls the election officers seal the election box and deliver it promptly to the registrar at the central office. The votes are counted there by civil service clerks. In spite of the confusion of putting in a new system, it worked remarkably well, and for the first time there was an accurate count carried on from first to last under the scrutiny of bystanders.

The abolition of the primary saves the city \$36,000 on each election. The preferential system of balloting requires additional clerks for compiling and computing the returns, but the additional cost is more than covered by the saving made.¹



The Philadelphia Sinking Fund Situation.—During the past eighteen months a considerable amount of discussion and controversy has taken place in Philadelphia concerning her sinking funds. Of the controversies that have been begun, only a very small fraction may be considered as ended. The others are ripe for extended discussion.

In November, 1916, in the course of its consideration of the annual budget for 1917, the finance committee of councils resolved to take certain steps toward the improvement of the administration of the city's sinking funds, at that time 25 in number. Of the steps then taken by the committee, two stand out prominently by reason of the opposition encountered.

Having noticed, among many other things, (1) that the commissioners of the

sinking fund had in their possession about \$4,700,000 of cash and securities over and above the liberally calculated requirements of less than \$22,000,000; (2) that of this \$4,700,000 surplus almost \$1,400,000 represented money and securities that did not belong to any sinking fund, it being, in the main, surpluses of expired sinking funds, and (3) that, contrary to the laws, money was being appropriated to; and paid into, sinking funds for the extinguishment of debt prior to the tax year following the actual creation of the debt in question, the finance committee eliminated from the budget all provision for sinking fund instalments on loans not yet issued, and also requested the commissioners to release their free surplus of almost \$1,400,000 for the payment of principal and interest of non-sinking fund debt falling due in 1917 and for the payment of the four mill state tax on city debt. After a great deal of controversy, in which the phrase "raiding the sinking fund" was well played up, the commissioners finally released \$1,160,778.75 of their free surplus for the payment of principal and interest of non-sinking fund debt falling due in 1917, but refused to release the balance for the payment of the state tax.

After a great deal of other controversy, it was admitted that the committee had the law on its side in deferring provision for sinking fund instalments until the tax year following the year in which loans actually are issued. But almost at the last minute demand was made on councils to reinstate a portion of the eliminated provision for loans not yet issued. This demand was made on theoretical and involved grounds. Being made as it was, and being coupled with a threat to tie up the city's money unless acceded to, councils gave in, adding another five cents to the tax rate in order to do so.

One year later, in connection with the annual budget for 1918, the finance committee, having in mind the large excess accumulations in the sinking funds, and noting that certain information concerning sinking fund requirements, surpluses, and other related matters, had ceased to

¹ A statement of reasons for the changes in the electoral laws of San Francisco and a draft of the club's plan for municipal elections will be found in the Transactions of the Commonwealth Club, vol. ix, no. 4, August, 1916. The plan was changed in going through the board of supervisors before it was submitted to the people, but in general the text of the committee report was followed. It was ratified at the election of November, 1916, and got its first trial in the election of November, 1917.

appear in their usual places since the preceding year's controversies had begun, unanimously passed a lengthy resolution requesting the commissioners to furnish the committee with certain specified information which the committee felt that it needed for its proper consideration.

Notwithstanding the fact that a copy of this resolution, embodied in a letter requesting that the information called for be furnished in the order in which it was listed, and as speedily as possible, was delivered to each of the three commissioners on November 19, 1917, less than one-fourth of the information called for by the last (and least urgently needed) of the 14 items listed has as yet been furnished (January 25, 1918).

With this relatively insignificant information, the commissioners sent a letter in which they declared that there were no surpluses in the sinking funds, and in which they otherwise painted a dark and gloomy picture. Although the chairman of the finance committee pointedly replied to this letter and again requested that the information called for in the resolution be furnished in accordance with the previous request, no response of any kind has as yet been received.

Word having been passed around that the commissioners of the fund had finally decided to ignore the committee's request for information, on the grounds that the committee had no right to make the request, substantially the same resolution was passed unanimously on November 30, 1917. But, it appears that the commissioners deny councils' authority to demand the much wanted information, for the resolution has brought no response.

About the same time that the committee and councils were demanding information from the commissioners, another sinking fund controversy became public. As has been said, the commissioners released \$1,160,778 of their free surplus for the payment of principal and interest of non-sinking fund debt falling due in 1917. Now it so happens that part of the city debt which the school district assumed, when it began its separate corporate existence on January 1, 1912, was some

of the debt to which the free surplus was applied. The school district, taking the view that its payments to the city in respect of the assumed debt are in the nature of reimbursements to the city for payments made by it on account of the same assumed debt that the city was released in 1917 from paying \$102,782 in respect of principal and interest on the assumed debt, and reiterating its contention of 1912 that it was entitled to share in the free surplus as well as assume some of the city debt, deducted this amount from its last quarterly payment of 1917.

As a result, a three-cornered dispute between the city, the school district and the sinking fund commissioners is being waged. The school district has been threatened with legal proceedings to compel payment of the withheld amount.

From the viewpoint of the Philadelphia bureau of municipal research, two vitally important questions seem to be involved throughout the various controversies. One of them is: Shall the people's elected representatives have access to sufficient information concerning the people's business to enable them properly to safeguard and administer that business? The other is: Should not Philadelphia follow the example of a number of other cities—adopt serial bonds and eventually scrap all its sinking funds?

ROBERT JAMES PATTERSON.¹



Virginia Budget Legislation.—The following outstanding features of the budget law of Virginia, which was prepared by the commission of economy and efficiency:

1. The budget estimates are submitted to the legislature by the governor in such form as he may deem most advisable.

2. These estimates are accompanied by a full and detailed explanation of increases and decreases.

3. Ample supporting data is required so that the revision of the governor and the revision of the legislature is done with full information.

4. Public hearings are held by the governor during his revision.

¹ Accountant, Philadelphia bureau of municipal research.

5. Bi-annually the governor must survey all departments and institutions, in order to possess a working knowledge upon which to base his recommendations.

6. With the budget estimates the governor must submit a properly prepared appropriation act.

7. The finance committees in considering the estimates and the appropriation act, must meet jointly and in public.

8. The legislature may increase or decrease items.

9. No special or additional appropriations may, however, be passed until the original budget is acted upon.

10. The governor is authorized to employ competent assistants to carry out the requirements of the act.

11. The governor's constitutional veto power is, of course, unaffected.

LENT D. UPSON.

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The Water Supply of Denver.—In 1910 an initiated amendment to the charter of Denver created a Public Utilities Commission of three members, for the purpose of acquiring the water company's plant, or of building a new one. A bond issue of \$8,000,000 was authorized and the commission empowered to offer the water company \$7,000,000 for the existing plant, which was promptly refused. The commission thereupon employed engineers to make a survey for a new water supply, payment for services to be made in bonds. These bonds were never issued, and the city assumed payment for such liability by means of warrants. The matter dragged, and the opinion was freely expressed that no adequate new water supply was available. In 1914 an initiated ordinance was passed by the city providing for a 20 per cent horizontal reduction in water rates. The water company refused to comply, on the ground that the rates would be practically confiscatory, and took the matter into court. Finally the Federal Court appointed Special Master W. J. Chinn to determine the value of the plant in order to investigate the justice of the said reduction in rates. His report fixing the value at \$13,415,899 (including

\$2,000,000 for water rights) was accepted by the court, which sustained the contention of the water company. Negotiations were then entered upon between the Water Consumers League and the Denver Union Water Company, and an agreement reached whereby this sum or less, if confirmed by the supreme court of the United States, plus betterments and minus depreciation (now aggregating about \$14,000,000) should be the price paid by the city. The decision has just been handed down, again confirming the value but not passing upon the ownership of the water rights as not material in the case. The question must now be submitted to the taxpaying electors, as to the purchase and provision for the issue of bonds. Thereafter the sanction of the newly created capital issues committee will have to be secured.

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The Law of Illegal Public Speaking.—

One of the most difficult police problems in urban communities, arising from the war, is the differentiation between the freedom of speech and its licentiousness which the police may lawfully curb in their efforts to suppress seditious gatherings and utterances. In a pamphlet of sixteen pages Magistrate Frederick B. House of New York has prepared for the use of magistrates and police officers in New York city a clear exposition of the present law on this subject with an adequate citation of the principal decisions.

This pamphlet is deserving of the most careful study by all peace officers and by all judicial officers charged with the duty of maintaining the peace in American cities during the present international emergency.

L. F. FULD.

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University of Cincinnati.—Under Cincinnati's new charter (which went into effect on January 1)¹ all the scientific, medical and nursing work in the new city hospital are placed under the University of Cincinnati. It provides that the medical director of each department shall be a

¹ See National Municipal Review, vol. vii, p. 80.

professor in the medical department of the college and that the board constituted of these directors shall nominate to the board through the president all members of the staff of the hospital, including the superintendent who shall be the general executive and business manager of the

hospital, this superintendent to select all other employes under the civil service commission of the city. This provision is intended to remove the hospital from the sphere of politics and to secure the facilities of the hospital for the purposes of education and research.

II. POLITICS¹

Proportional Representation Election at Boulder.—For the purpose of educating the constituency one of the local papers, the *Boulder News-Herald*, voluntarily devoted its columns to a complete discussion of the method of voting. It made up several sample tickets and showed how they might be marked. In addition to this, the Methodist brotherhood held the annual election of its officers by the Hare method and invited its friends in to watch the election. The meeting was a great success as was also the election so held. The details were placed in the hands of Clair V. Mann, a member of the charter commission familiar with the system. Following this meeting, a public gathering was held at the court room where several persons who were to act as tellers and election clerks were given some experience in their prospective duties. The method of marking the ballots was explained to the voters in detail and the election results worked out before them.

A correspondent advises that the voters participating in the election had very little difficulty in marking their ballots and comparatively few were spoiled. There were 59 so-called invalid ballots, which were really not invalid but merely non-transferable. The count was completed and the result declared at 3 a.m. of the day following the election. Results could have been hastened by the adoption of a different form of ballot which will be adopted at the next election. Our correspondent writes: "I think there has never been a time in Boulder when so general a degree of satisfaction prevailed over results of the election as prevails

now. Our municipal elections have always been attended with more or less mudslinging and bitterness. The people seem to feel that if the persons elected are not the people's choice, nobody save the people is to blame. They feel also that a fairer system of election would be hard to devise, as every class worthy of representation will be sure to get its representative if the people representing that class get out and work.

"So all things considered, proportional representation in Boulder to date is regarded as a great success. The new council and its manager, Mr. Heinrich, are progressing nicely. The problems before us are big, but we feel that with perseverance, study, and good management they will be mastered."



The Seattle Election.—The primary election in Seattle eliminated Mayor Gill, who out of a total vote of 56,700 received but 8,317. The highest two were Ole Hanson who received 23,414 and James E. Bradford, 11,751. During the primary fight the issue was mainly Gill and anti-Gill. Most people believed the mayor would show his old strength and go into the finals, his primary vote of two years ago being over 30,000 and the vote by which he was elected 35,000. The objections to him this time were his indictment and trial for bootlegging by the federal court last year, his later disbarment upon other grounds by the state bar board, the military ban put upon Seattle by the general in command of Camp Lewis, his alleged sympathies with the I. W. W., and his want of thoroughgoing co-operation with the federal government.

The other candidates stood for a city "clean, safe and patriotic, with more or

¹Unless otherwise indicated, the items in this department are prepared by Clinton Rogers Woodruff.

less municipal ownership thrown in." Mr. Bradford was recognized as the choice of organized labor and drew his main support from them. Mr. Hanson got the exclusive support of three dailies with corresponding publicity. This support followed him through the finals and resulted in his election. Out of a total of 82,000 he received 32,000 votes, and Mr. Bradford 27,000. At the election the issues were solidified into the paramount one of patriotic support of the government, Mr. Hanson taking and keeping the initiative on this question. During the campaign he threatened to suppress entirely the I. W. W. movement in Seattle to prevent any strike during the war, and promised to unite the city back of the President. On this issue Mr. Bradford was on the defensive, he being supported by the pacifists and those who were regarded as being at heart luke warm towards the President.

A correspondent writes that the election may serve locally to "hasten consideration of the desire to abolish the primary for one direct election as in England, and for reasonable local regulation of newspaper publicity in fairness to all candidates for the same office."

Another feature of the election was the recall of Anna Louise Strong of the school board, because of her activities on behalf of those who have been opposed to the war. In commenting on her case, the Seattle municipal league said that "the salutary influence of a woman school director of Miss Strong's acknowledged education and refinement under normal conditions has been largely sacrificed by the course pursued in this period of national crisis." The vote for her recall was 27,157 and against her recall 21,824.

*

The Re-election of Mayor Hoan of Milwaukee.—As a result of the April 2 municipal election Milwaukee will continue to have a Socialist mayor for another two years. Mayor Hoan, who is completing his first term, was re-elected over Percy Braman, commissioner of public works, by a majority of 2,110. Mayor

Hoan ran about 6,000 ahead of the socialist nominees for the other main office all of whom were defeated.

The Socialists increased their representation in the common council from 12 to 13 members (one being a hold-over). They elected three of the six aldermen-at-large and nine out of twenty-five ward aldermen. The council of 37 (which will be reduced to 25 in 1920 as a result of a referendum vote) will consist of 13 Socialists and 24 non-partisans.

The re-election of Mayor Hoan is more of a personal victory for him than for his party. During his two years as mayor he did not follow the former partisan and narrow-minded attitude of the Socialist mayor of 1910-12 but secured the co-operation of citizens in general, regardless of party. He had the general approval of citizens for his co-operation with the government in connection with the war. However, although not approving of the anti-war attitude of the Socialist party as expressed in the St. Louis platform, he did allow himself to be inveigled into running on a platform which was not regarded as a repudiation of the obnoxious St. Louis war plank. This caused many of his warm supporters to desert him and to refuse to vote for him. Among such were practically all of the assistant city attorneys who served under Mr. Hoan while he was city attorney before becoming mayor in 1916. That he lost thousands of non-socialist supporters because of these party tactics is conceded but these were made up by accessions of those who desired to enter their protest against the war. Many also voted for him knowing full well that he would ignore the party opposition to the war and continue to assist the government whenever called upon. Because of his running on such a platform, however, he has been removed as head of the county council of defense.

The re-election of a Socialist mayor does not necessarily mean that Milwaukee is either socialistic or disloyal. It has oversubscribed its share of every fund solicitation in connection with the war and is now

engaged in repenting this record in connection with the third liberty loan and the second Red Cross drive.

W. J. BOLLENBECK.



A Possible Recall in Wheeling, W. Va.—Early in February the city council of Wheeling, upon report that open gambling had been running in the city, called the chief of police before it and read charges against him. Thereupon the chief admitted the truth of the report and the council by unanimous vote discharged him, immediately thereafter electing his successor. This seemed to be a very great shock to the vice interests of the city and there was a demand immediately on the part of the underworld for the recall of the five councilmen who have stood for the

suppression of vice, and also for the recall of city manager Nagle.

The newspapers have almost entirely ignored the circulation of the recall petitions, having referred to the matter only once or twice. They absolutely refused to print the statement of charges contained in the petitions and in every other way have indicated opposition to a recall election. It is the old proposition of the last struggle for the control of the city in the interests of vice. The first blow was the adoption by the people of the commission-manager form of government; the second, the election of men to council who had an earnest desire to extricate the city from the depths of vice rule. If a recall election is had, it is believed that it will result in an overwhelming defeat for the vice interests.

III. JUDICIAL DECISIONS

Licensing Money-Lending.—In *Salisbury v. Equitable Purchasing Company* (197 S. W. 813) the Kentucky court of appeals has decided that section one of an ordinance of Ashland providing for an annual license fee of \$400 on the occupation of lending money on assignments of salaries or wages is invalid as necessarily prohibitive of the business. The court also held that section two of the ordinance requiring these money lenders after getting a license to file a monthly statement showing the names of the borrowers, amounts lent, and other details is not within the police powers.



Interest of Municipal Officer.—Although an alderman of the city was a law partner of an attorney employed by the city to defend certain actions, the contract of employment was voidable at the option of the city only and was not subject to an attack by a taxpayer. This was the decision reached by the Michigan supreme court in *Schurtz v. Grand Rapids* (165 N. W. 766). The statute provided that any contract made in violation of the provisions should be void "against the city" and on this point the taxpayers bill was dismissed.

Anti-Strike and Anti-Picketing Ordinances.—The courts of Oregon and Texas⁸ have recently dealt with ordinances aiming at strikes and picketing. In *Hall v. Johnson* (169 Pac. 515) the Oregon supreme court decided that an ordinance directed against conspiracies to injure trade, business or commerce, even though valid as applied to picketing, was invalid *in toto* in attempting to deprive workmen of their right to strike.

In *Ex parte Stout* (198 S. W. 967) the court of criminal appeals of Texas sustained an ordinance of the city of El Paso forbidding picketing for the purpose of persuading persons from entering places of business to transact business.



Lansing Charter Ruling Reversed.—The supreme court of Michigan recently reversed a decision of the county court by dismissing a mandamus issued against certain Lansing city officials preventing them from being candidates for reelection. The lower court had held that a section of the city charter meant that no city officials could be reelected and cast serious doubts on the legality of past councils of the city.

The supreme court said in a *per curiam*

opinion, "the literal construction of the section as given by the lower court, would result in the manifest absurdity of not permitting a man elected to office to fill it. The section meant clearly that no person could hold two offices at one time."

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Revocation of Franchise.—The supreme court of the United States has recently decided in *Northern Ohio Traction & Light Company v. Ohio* (38 Sup. Ct. Rep. 196) that where a resolution of a board of county commissioners granted to a person therein named and his successors the right to construct, maintain and operate an electric railroad along a specified state road without specifying any limit of time, the grant was not a mere revocable right but a contract not subject to annulment by a resolution of the board of county commissioners declaring it terminated. This action of the county commissioners, approved by the supreme court of Ohio, was held to be an impairment of the obligation of a contract. As usual in these public utility cases, Justice Clark dissented and Justice Brandeis concurred with him. He took the position that the court was without jurisdiction in this case and even assuming that it did have jurisdiction he could not concur in the opinion for three reasons, (1) there was not a perpetual grant in plain terms, (2) that appropriate consideration was not given to the decision of the Ohio supreme court and (3) that the reasons stated for inferring that an irrevocable franchise was intended by the granting power were not sound.

Bribing Voters.—In *The United States v. Bathgate et al*, the United States supreme court recently decided that section 19 of the criminal code does not apply to conspiracies to bribe voters at a general election within a state where presidential electors, a U. S. senator and a congressman are to be chosen. The judgment of the court below was affirmed. The government in its case maintained that lawful voters at an election for presidential electors, senator and member of congress and also candidates for those places have secured to them by the constitution or laws of the United States the right and privilege that it shall be fairly and honestly conducted; and that congress intended by the section 19 to punish interference with such right and privilege through conspiracy to influence voters by bribery.¹

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Police Pension Fund.—In *Stiles v. Board of Trustees of Police Pension Fund* (118 N. E. 202) the supreme court of Illinois decided that although the petitioner had been removed from the police force of a board of park commissioners for having entered a saloon in uniform and for having used profane language, he was still entitled to his pension because he had served the statutory period required for the pension, —twenty years. The court said that having served for the statutory period and no longer being connected with the police force, his right was perfect, notwithstanding removal under the civil service act.

ROBERT EMMET TRACY.

IV. MISCELLANEOUS

Governmental Research Conference.—At a meeting of governmental research agencies of the United States and Canada, held in conjunction with the meeting of the National Municipal League in Detroit last November, a permanent organization of such agencies was effected under the name Governmental Research Conference.

The details as to terms and conditions of membership were left to the executive committee, which was also made responsible for carrying into effect

several measures for co-operative work that were discussed by those in attendance at the meeting and decided upon as desirable of accomplishment. Since that time the executive committee has taken steps to set up machinery for such co-operative service.

A proposal was made to the executive committee by Dr. Robert T. Crane, director of the bureau of government,

¹Reported from advanced sheets of Supreme Court. Cases 575 to 580 inclusive, October term 1917, and were decided March 4, 1918.

department of political science, of the University of Michigan, to utilize the facilities of the bureau of government to set up a central office or clearing house for the Governmental Research Conference, and thus perform for the members of the conference a number of direct and tangible services in line with the discussion at Detroit. This proposal was accepted by the executive committee of the conference, and the bureau of government is already functioning as a central agency for the conference. Dr. Crane and Miss Gertrude E. Woodard, secretary of the bureau of government, have both been elected, by the executive committee, assistant secretaries of the Governmental Research Conference. The services which his bureau will render as a central agency for the conference are:

(1) The services of our staff, consisting of a secretary and myself. The secretary has had a very wide experience as librarian and editor. The university will make her full time available for the proposed work of the Conference. My own services will be cheerfully given.

(2) Very spacious quarters are available in the huge new library of the university. Immediately connected is almost unlimited stack-room.

(3) If special equipment is necessary, no pledge can be given as to its provision by the university; but it is improbable that any need of the sort will not be at once met. The bureau now has available, in addition to the usual office equipment, a Writerpress, and a Photostat for the reproduction of charts or drawings. For the former, extra type will be needed and for the latter there will be the usual expense of operating.

(4) Our arrangements are made previous to this offer. We are ready to start to-day.

It will perhaps be well to state the work this office is to perform as I understand it:

(1) Monthly reports to be collected from each bureau showing:

(a) all work completed, with date.

(b) all work in progress, and stage, with probable date of completion.

(2) Monthly bulletins to be issued showing by bureaus, work reported completed, with date, or in progress, with stage and probable date of completion.

(3) Card index of all final reports of work to be issued in duplicate.

(4) Final reports of all work to be collected at least in triplicate from each bureau and filed for reference.

(5) Final reports on file to be loaned to bureau on request.

(6) Important reports to be published in initiative of the Executive Committee.

(7) Data on successful campaigns for financing to be collected, filed and made available to inquirers.

(8) Lists to be maintained of workers in special fields and loans and transfers to be arranged.

One other matter left by the Detroit meeting to be decided by the executive committee had to do with the classes and conditions of membership in the Governmental Research Conference. The executive committee has decided upon three classes of membership; active and associate memberships for institutions, and associate membership for individuals. Active members comprise citizen agencies actively engaged in the field of governmental research, but more distinctively as working *efficiency* agencies than as agencies interested in *research* pure and simple. On these agencies must fall, for some time to come, the responsibility for shaping the policies and principles of action of the governmental research movement in this country. It was believed by the executive committee that they should bear the principal financial burden of supporting the conference and should be chiefly responsible for shaping its policies, and that they should therefore be given active membership and voting power. The fee for active membership was fixed at \$15 a year.

Realizing the interest of many university bureaus of governmental research and reference in the questions with which the Governmental Research Conference will deal, the executive committee decided to offer such agencies an associate membership at an annual fee of \$10. The individual associate membership is to be made available to such persons (including professors of economics, political science, etc.) as are directly related to the field of governmental research, or are so interested in it as to wish to keep in touch with

the developments in that field. The fee for individual associate membership is \$5.

It is the intent of the executive committee to charge no more for membership, either active or associate, than will barely cover the expenses of the conference, including the cost of the considerable service which is to be performed by the central office. Associate members will have access to all the privileges of the conference, except a vote in determining policies and in electing officers, and will receive, on equal terms with active members, all the services to be performed by the central office. It is believed that such a working relationship between university bureaus of governmental research and reference, on the one side, and citizen agencies actively engaged in governmental efficiency work, on the other side, will be mutually advantageous.

LEROY E. SNYDER.¹

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Rudolph Blankenburg, mayor of Philadelphia from 1911 to 1915, died April 12, at the age of 75. For more than a generation Mayor Blankenburg had been one of the militant forces of Philadelphia. Easily the most effective stump speaker in the city, his voice was always raised in behalf of higher ideals of government and in behalf of the down-trodden. He was actively identified with such organizations as the citizens' relief committee, the old committee of one hundred, and various other efforts designed to arouse the people of Philadelphia to their duties as citizens and to give effective expression. He was indeed a tribune of the people.

Elected to the office of mayor in 1911 on an independent ticket, he was wise in the selection of a group of men like Morris Llewellyn Cooke, George W. Norris, George D. Porter, who were in touch with modern methods of administration. Mr. Blankenburg's administration in years to come will be more highly valued than it has been because then the memory of

personal antagonisms will have passed, leaving only the residuum of accomplished results. Mr. Blankenburg personally was a protagonist rather than an administrator, and many of the outstanding events of his administration reflect his personal characteristics rather than the accomplishments of his coadjutors. In personal life Mr. Blankenburg was amiable and genial, and therefore popular. In his public life he was relentless in dealing with what he regarded as opposed to the public interest. He was much more interested, however, in critical attack than in constructive work, but those with whom he surrounded himself supplied that lack in an eminent degree, so that even to-day, although we are but two years and a half removed from his administration, the people of Philadelphia look upon it as a period of great constructive advance.

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The War Contribution of City Planners.

—Apropos of Mr. John Ihlder's striking article on "Wooden Cities: The National Army Cantonments,"¹ we have gathered the following information concerning the city planners and housing experts who have aided in making the wooden cities possible. There was a first group: a committee of the American City Planning Institute, which advised briefly at the start as to methods of organization and somewhat as to personnel: Frederick Law Olmsted; George B. Ford; E. P. Goodrich.

A second group, also advisory, served at Washington almost continuously for several weeks from the creation of the cantonment division in the Quartermaster Corps, advising as to professional personnel and as to controlling considerations in the planning of the cantonments and their most vital utilities, water supply and sewerage: Maj. W. A. Starrett, architect, F. L. Olmsted, landscape architect, of the committee on emergency construction; Leonard Metcalf, C.E., George W. Fuller, C.E., advising especially on matters and men related to water supply and sanitary

¹ Director, bureau of municipal research, Rochester, N. Y.

¹ Vol vii, p. 139.

engineering; George Gibbs, Jr., town planner (after a few weeks he was commissioned as captain and made chief of the drafting division in executive charge of the preparation and issue of plans).

A third group of less continuous volunteer advisers and helpers at Washington during the formulation of the typical cantonment plans consisted of George B. Ford, architect; Otis Post, architect; Woodward Leaming, architect; Lawrence Veiller, director, National Housing Association; John Ihlder, Philadelphia housing association; Asa Philips, C.E., sewer department, District of Columbia; Mr. Eaton, C.E. of Dupont Engineering Co.

A fourth group consisted of reserve officers in the engineering division of the cantonment division, directly responsible for the plans, acting with the advice of the above group and in part recommended for appointment by them: Maj. Frank M.

Gunby, C.E., engineer officer in charge; Maj. F. B. Wheaton, architect; Capt. L. S. Doten, C.E., water supply and sewerage; Mr. (afterward Major) Dabney H. Maury, C.E., water supply; Capt. George Gibbs, Jr., town planning; Capt. F. B. Smith, assistant to Captain Gibbs.

A fifth group of town planners was called upon in co-operation with water supply and sanitary engineers and under the direction of the Washington office to develop preliminary plans for specific cantonments by local adaptation of the typical plans developed in Washington. Where marked (*) the town planner after completing the preliminary planning, was continued on the job by the local constructing quartermaster in responsible charge of the construction of the cantonment, to work up details of the plan and make adjustments as the work progressed.

Cantonments	Town Planners	Water Supply and Sanitary Engineers
Camp Devens, Ayer, Mass.	H. J. Kellaway,* Boston, Mass.	F. A. Barbour, Boston, Mass.
Camp Upton, Yaphank, N. Y.		Walter Spear, c/o N. Y. Board of Water Supply, N. Y. C.
Camp Dix, Wrightstown, N. J.	C. W. Leavitt	Allen Hazen, 42nd St. Bldg., N. Y. C.
Camp Meade, Annapolis Junct., Md.	Owen Brainard,* 52 Vanderbilt Ave., N. Y. C.	Morris Knowles, Jones Bldg., Pittsburgh, Pa.
Camp Lee, Petersburg, Va.	J. L. Greenleaf, 1 Broadway, N. Y. C.	H. R. Messer, 1110 Capitol Ave., Richmond, Va.
Camp Jackson, Columbia, S. C.	Richard Schermerhorn, Jr.,* 347 5th Ave., N. Y. C.	Allen Saville, Richmond, Va.
Camp Gordon, Atlanta, Ga.	Brinckerhoff	P. H. Norcross, Atlanta, Ga.
	C. N. Lowrie, 101 Park Ave., N. Y. C.	G. N. Hazelhurst, Atlanta Lockwood Green & Co., N. Y. C. and Atlanta, Ga.
Camp Sherman, Chillicothe, O.	W. H. Manning, No. Billerica, Mass.	R. W. Pratt, Cleveland, Ohio
Camp Taylor, Louisville, Ky.	H. P. Kelsey,* Salem, Mass.	J. B. Wilson, Louisville, Ky.
Camp Custer, Battle Creek, Mich.	T. W. Sears, 107 Westminster St., Providence, R. I.	S. A. Greeley, Chicago, Ill.
Camp Grant, Rockford, Ill.	E. H. Bennett,* Chicago, Ill.	J. W. Alvord, Chicago, Ill.
Camp Pike, Little Rock, Ark.	L. V. Sheridan,* Washington, D. C.	Block & Veach, Kansas City, Mo.
Camp Dodge, Des Moines, Iowa	Robert Wheelwright,* N. Y. C.	L. P. Wolff, St. Paul, Minn.
Camp Funston, Ft. Riley, Kans.	J. H. Pray, Cambridge, Mass.	Wynkoop Kiersted, Liberty, Mo.
	S. H. Hare,* Kansas City, Mo.	
Camp Travis, San Antonio Texas	George E. Kessler, St. Louis, Mo.	
	E. U. Noyes, Dallas, Texas	
Camp Lewis, American Lake,	C. F. Pilat,* 52 Broadway, N. Y. C.	W. J. Roberts, Tacoma, Wash.*

Spanish Civic Development.—An important civic association has been organized in the city of Barcelona, whose main purpose is to further the construction of workingmen's dwellings in a suburb of that city and to promote the idea of "The Garden City." The society is known as the "Civic Society for the Encouragement of the Garden City."

The offices of the society are in Barcelona; Excorial, 156.

The association has undertaken the publication of a monthly paper called *Civitas*. It contains an interesting record of the progress of the workingmen's dwelling movement both in Spain and abroad. Special sections of the review are also devoted to the purpose of land-

* We are obliged to Frederick Law Olmsted for these data.—Editor.

scape gardening in connection with the workmen's sections of large industrial centers.

The society is evidently doing an important work in improving conditions in Barcelona and in other cities of Spain.

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Denver's Chaplain.—The city of Denver has introduced into municipal government the influence of the clergy, by the appointment of an official city chaplain. The city council passed an ordinance creating the office with the salary of \$1,200, the bill having been one devised and recommended by Mayor Speer. The ordinance outlines the duties to be: "to aid, assist and encourage unfortunate persons and those in distress; to visit all penal and municipal institutions of the city and county, and to render such aid and assistance as humane consideration and sound public policy may dictate."

"Jim" Goodheart, conductor of the Sunshine Mission, which for ten years has helped and encouraged the down and out in Denver, was appointed city chaplain by Mayor Speer.

✱

Woman Suffrage in Texas.—A special session of the Texas legislature during a session of thirty days adopted statutory prohibition and woman suffrage as war measures. Under the latter measure the women are to participate only in the democratic primaries and not in the general election. In Texas, however, the primaries are of more importance than the general elections.

✱

Carl B. Roden has been appointed librarian of the Chicago public library as a result of a civil service test. Mr. Roden succeeds the late Dr. Henry E. Legler to whom he was an assistant. In speaking of the appointment Dr. Graham Taylor in the *Chicago News* said: "Chicago is again indebted to the civil service system for two good appointments to important positions. Carl B. Roden's promotion to the place of librarian of the Chicago public library is as satisfactory to the city as it is highly deserved by him. Moreover for thirty years he has used the library itself,

and each one of the many services he has been called upon to render it, as at once the source and the opportunity both for his professional training and for his personal culture."

The other appointment to which Dr. Taylor refers is that of Joseph L. Moss as chief juvenile probation officer of the juvenile court of Cook county is succession to Joel DeBois Hunter. Alfred G. Reynolds was certified at the head of the list but declined the appointment because certain readjustments which he considered essential were blocked by certain political influence. The next on the list of eligibles was Mr. Moss, assistant chief probation officer, who has accepted the appointment. Mr. Moss has not only been connected with the department but has had considerable social training both as a student at the Chicago school of civics and philanthropy and in the Gads Hill settlement.

✱

Ellwood J. Turner, of Ridley Park, Pa., a member of the Delaware county bar, has been elected field secretary of the people's association of Delaware county of which Franklin N. Brewer of Moylan is president. This organization is one of the few active county organizations in the country that are making real contributions to the study and development of county government along efficient lines, and so far as we are advised this is the first to employ a field secretary.

✱

Charles A. Beard, formerly professor of politics at Columbia University¹ and director of the training school conducted by the New York bureau of municipal research, has been made director of the bureau itself, entering upon his duties March 1. Dr. Beard was one of the first board of associate editors of the *NATIONAL MUNICIPAL REVIEW* and is now a member of the advisory editorial board.

✱

Edwin S. Potter, formerly associate editor of *Equity*, is now associated with the National Voters' League with headquarters

¹See *NATIONAL MUNICIPAL REVIEW*, vol. vi, p. 733.

in the Woodward Building, Washington, D. C.

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Rev. Edwin A. Rumball, formerly president of the Rochester city club and later secretary of the Americanization work in Buffalo, has been made secretary of the National Americanization Committee.

✱

Léonard Wallstein, who was commissioner of accounts under Mayor Mitchel, has been elected secretary of the New York citizens' union.

✱

Dr. Charles C. Williamson, associate editor of the NATIONAL MUNICIPAL REVIEW, has been released temporarily from his duties as New York municipal reference librarian, to become statistician of the liberty loan committee of the federal reserve bank.

Later Dr. Williamson resigned as libra-

rian to take up Americanization work with the Carnegie Foundation. He will be succeeded as municipal reference librarian by Dorsey W. Hyde, Jr., of the *American City*, who assumes his new office on May 1.

✱

E. Lewis Burnham has resigned as assistant treasurer of the National Municipal League because of his duties as executive secretary of the war camp community service board at Waco, Texas.

✱

R. Bayard Cutting, son of R. Fulton Cutting, the first treasurer of the National Municipal League, died at an American base hospital in France early in April. He was an associate organizing secretary of the Y. M. C. A. Mr. Cutting was a member of the League's committee on intercollegiate work and had previously been treasurer of the intercollegiate civic league.

THE ANNUAL MEETING
OF THE
NATIONAL MUNICIPAL LEAGUE

will be held the first week in June,
in New York City, in conjunction with

**THE CONFERENCE ON WAR TIME
GOVERNMENTAL PROBLEMS**

CALLED BY THE
Academy of Political Science
AND THE
New York Bureau of Municipal Research



The event promises to be an important one.

Further information will be sent to members shortly.

This action was taken by the Council at its meeting on
April 24 after a careful canvass of the situation.

CLINTON ROGERS WOODRUFF,

Secretary
